

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 31-2017

AUTHORIZING A LEGAL SERVICES CONTRACT WITH JONES HALL, A PROFESSIONAL LAW CORPORATION, FOR BOND COUNSEL SERVICES IN AN AMOUNT NOT TO EXCEED \$219,000, RELATED TO COMMUNITY FACILITIES DISTRICT FORMATION AND ADMINISTRATION, AND BOND ISSUANCE FOR DEVELOPMENT OF THE HUNTERS POINT SHIPYARD PHASE 2 AND CANDLESTICK POINT PROJECT; BAYVIEW HUNTERS POINT AND HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREAS

- WHEREAS, The Financing Plan of the Disposition and Development Agreement for the Candlestick Point and Phase 2 of the Hunters Point Shipyard between the Redevelopment Agency and CP Development Co., LP (2010) (“DDA”) requires the Successor Agency Commission to establish community facilities districts (“CFDs”) from time to time as the Master Developer acquires major phases or subphases under the DDA. Section 2 of the Financing Plan of the DDA; and,
- WHEREAS, CP Development Co., LP has proposed the formation of two CFDs: 1) a Capital CFD for public improvements; and 2) an Operations and Maintenance CFD for maintenance of public improvements; and,
- WHEREAS, The CFDs that will be formed will be separate legal entities from the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure or “OCII”); and,
- WHEREAS, OCII needs the services of outside legal counsel, a municipal advisor, and a special tax consultant to assist in the formation of the CFDs; and,
- WHEREAS, Section IX.C.5 of OCII’s purchasing policy authorizes OCII staff to select a Contractor from a City panel that was established using the City’s competitive selection process, to the same extent that Agency staff may select a Contractor from an Agency panel authorized under the Purchasing policy; and,
- WHEREAS, On February 23, 2016 the City issued a Request for Proposals to establish a qualified list of firms to provide bond and disclosure counsel services and established a qualified list of firms on October 3, 2016, and the list is effective through October 3, 2018; and,
- WHEREAS, Jones Hall is included on the City’s list as a qualified firm to provide bond and disclosure counsel services; and,
- WHEREAS, On August 22, 2017, OCII staff, based on the City’s qualified list of bond and disclosure firms, issued a Request for Quote to Jones Hall for bond counsel services for the above described CFD formation transactions; and,

WHEREAS, Jones Hall submitted a response to the RFQ by the submission deadline, August 25, 2017; and,

WHEREAS, OCII staff reviewed the quote and determined it to be reasonable; and,

WHEREAS, Jones Hall has extensive experience with CFD formation in San Francisco. Jones Hall served as bond counsel for the Transbay CFD formed in 2015, the Treasure Island CFD formed in 2017 and the Port and Central South of Market CFDs currently in formation. In addition, Jones Hall has served as bond counsel for many CFDs formed in the San Francisco Redevelopment Areas, including the two Hunters Point Shipyard CFDs, CFD #7 and CFD #8; and,

WHEREAS, Jones Hall's depth of San Francisco and redevelopment specific experience has equipped Jones Hall has unique knowledge of the local legal context, including state and local land use law, as well as redevelopment and dissolution law. In addition, because Jones Hall has worked on the City's most recent CFD formations, the firm has up-to-the-minute knowledge and can help OCII leverage the most recent lessons learned. Jones Hall has participated in the formation of every CFD in San Francisco, working with Jones Hall will ensure uniform application of the law.; and,

WHEREAS, OCII staff recommends entering into a legal services contract ("Contract") with Jones Hall for Bond Counsel services related to the proposed CFD formation and administration, and subsequent bond issuance for an amount not to exceed \$219,000; and,

WHEREAS, Authorization of the Contract with Jones Hall is not a project, as defined by the California Environmental Quality Act ("CEQA") in CEQA Guidelines Section 15378(b)(5), will not independently result in a physical change in the environment and is not subject to environmental review under CEQA; now, therefore, be it

RESOLVED, That the Commission approves, and authorizes the Executive Director to execute a Contract substantially in the form of the contract attached to the memorandum accompanying this resolution , with Jones Hall, a professional law corporation, for Bond Counsel services related to CFD formation and administration, and subsequent bond issuance for the Hunters Point Shipyard Phase 2 and Candlestick Point Community Facilities Districts; and, be it further

RESOLVED, The Commission authorizes the Executive Director of OCII to take such actions as may be necessary or appropriate, to effectuate the purpose or intent of this resolution.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of September 19, 2017.

Commission Secretary