

Commission on Community Investment and Infrastructure

RESOLUTION NO. 22-2014

Adopted April 1, 2014

AUTHORIZING A PERSONAL SERVICES CONTRACT WITH JONES HALL, A PROFESSIONAL LAW CORPORATION, FOR BOND COUNSEL SERVICES IN AN AMOUNT NOT TO EXCEED \$93,500 RELATED TO THE PROPOSED CHANGE PROCEEDINGS REGARDING HUNTERS POINT SHIPYARD, COMMUNITY FACILITIES DISTRICT NO. 7 AND COMMUNITY FACILITIES DISTRICT NO. 8, AND REFUNDING OF SPECIAL TAX BONDS REGARDING COMMUNITY FACILITIES DISTRICT NO. 7, IN EACH CASE PURSUANT TO THE HUNTERS POINT SHIPYARD PHASE 1 DISPOSITION AND DEVELOPMENT AGREEMENT; HUNTERS POINT SHIPYARD PROJECT AREA

- WHEREAS, Subject to Oversight Board and Department of Finance (“DOF”) approval, the Office of Community Investment and Infrastructure (“OCII”), as successor to the Redevelopment Agency of the City and County of San Francisco is planning to seek approval of the Commission for an amendment and restatement of the current rate and method of apportionment of special tax for Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 7 (Hunters Point Shipyard Phase One Improvements) (“CFD No. 7”) and Redevelopment Agency of the City and County of San Francisco Community Facilities District No. 8 (Hunters Point Shipyard Phase One Maintenance) (“CFD No. 8”), that along with other actions, will be in furtherance of a bond issuance to accomplish a conversion of variable rate bonds to fixed rate bonds to pay for infrastructure and parks at the Hunters Point Shipyard , as required by the Hunters Point Shipyard Phase 1 Disposition and Development Agreement (“Phase 1 DDA”); and,
- WHEREAS, In order to complete the bond conversion, OCII staff sought specialized legal advice to assist during the bond conversion process (“Bond Counsel”); on February 28, 2014 Agency staff issued a Request for Proposal (“RFP”) for Bond Counsel services for the proposed CFD No. 7 refunding bond; Section IX.C.5 of the 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 OCII staff may select a Contractor from an OCII panel authorized under the Purchasing policy; and,
- WHEREAS, Six firms responded to the RFP by the submission deadline and an OCII panel reviewed the proposals according to objective scoring criteria and determined that Jones Hall was the highest scoring respondent; and,
- WHEREAS, OCII staff recommend entering into a professional services contract (“Contract”) with Jones Hall for Bond Counsel services related to the proposed change proceedings regarding Hunters Point Shipyard, Community Facilities District No. 7 and Community Facilities District No. 8, and refunding of special

tax bonds regarding Community Facilities District No. 7, in each case pursuant to the Hunters Point Shipyard Phase 1 Disposition and Development agreement in the form of the Contract lodged with the Secretary of the Commission for an amount not to exceed \$93,500; and,

WHEREAS, Under the Redevelopment Dissolution Law Successor Agencies only have the authority to enter into new Contracts in compliance with enforceable obligation that existed prior to June 28, 2011 and in accordance with Health and Safety Code 34177.3 (a). The Successor Agency has determined that the proposed Bond Counsel contract complies with existing enforceable obligations created by the Phase 1 DDA; and,

WHEREAS, Payments under this Contract will be provided from proceeds of any potential CFD No. 7 bond issuance and from Special Tax Revenue from CFD No. 8; and,

WHEREAS, A copy of the Contract is on file with the Secretary of the Commission; 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 with Jones Hall, a professional law corporation, for Bond Counsel services related to the proposed change proceedings regarding Hunters Point Shipyard, Community Facilities District No. 7 and Community Facilities District No. 8, and refunding of special tax bonds regarding Community Facilities District No. 7, in each case pursuant to the Hunters Point Shipyard Phase 1 Disposition and Development agreement in the form of the Contract lodged with the Secretary of the Commission for an amount not to exceed \$93,500; 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 April 1, 2014.


Commission Secretary