

1 [Modification of the Cooperative Agreement with the United States Navy]

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3 **Resolution Approving and Authorizing the Treasure Island Development Authority to**
4 **Enter into a Modification of the Cooperative Agreement with the United States Navy to**
5 **Extend the Cooperative Agreement from October 1, 2010 to September 30, 2011.**

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7 WHEREAS, Former Naval Station Treasure Island is a military base located on
8 Treasure Island and Yerba Buena Island (together, the "Base"), which is currently owned by
9 the United States of America (the "Navy"); and

10 WHEREAS, The Base was selected for closure and disposition by the Base
11 Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its
12 subsequent amendments; and

13 WHEREAS, On May 2, 1997, the Board of Supervisors passed Resolution No. 380-97,
14 authorizing the Mayor's Treasure Island Project Office to establish a nonprofit public benefit
15 corporation known as the Treasure Island Development Authority (the "Authority") to act as a
16 single entity focused on the planning, redevelopment, reconstruction, rehabilitation, reuse and
17 conversion of the Base for the public interest, convenience, welfare and common benefit of
18 the inhabitants of the City and County of San Francisco; and

19 WHEREAS, On September 3, 1997, the Board of Supervisors passed Resolution No.
20 806-97, authorizing the City to enter into a Cooperative Agreement with the Navy under
21 which the City (initially) and the Authority (subsequently) agreed to assume certain
22 responsibilities for (i) operation and maintenance for the water, waste water, storm water,
23 electric and gas utility systems on the Base, (ii) security and public health and safety services,
24 (iii) grounds and street maintenance and repair, and (iv) property management and caretaker
25 services; and

1 WHEREAS, The Cooperative Agreement has been amended numerous times and the
2 current term of the Cooperative Agreement expires on September 30, 2010; and

3 WHEREAS, The Authority and the Navy wish to extend the term of the Cooperative
4 Agreement to September 30, 2011 by entering into a Modification to the Cooperative
5 Agreement in substantially the form of the Cooperative Agreement Modification filed with the
6 Clerk of the Board of Supervisors in File No. 100785 (the "Modification"); and

7 WHEREAS, The Authority's organizational documents require the Board of
8 Supervisors' approval of any contract that the Authority enters into prior to the adoption of a
9 redevelopment plan for the Base if the contract is worth more than \$1,000,000 or has a term
10 of 10 years or more; and

11 WHEREAS, The Cooperative Agreement, as amended, is a contract for an amount in
12 excess of \$1,000,000 and with a term in excess of 10 years; now, therefore, be it

13 RESOLVED, That the Board of Supervisors hereby approves the Modification and
14 authorizes the Director of Island Operations of the Authority or her designee to execute and
15 enter into the Modification in substantially the form of the Cooperative Agreement Modification
16 filed with the Clerk of the Board of Supervisors in File No. 100785 and any additions,
17 amendments or other modifications to such Modification (including, without limitation, its
18 exhibits) that the Director of Island Operations of the Authority or her designee determines, in
19 consultation with the City Attorney, are in the best interests of the Authority and do not
20 otherwise materially increase the obligations or liabilities of the Authority, and are necessary
21 or advisable to effectuate the purpose and intent of this resolution.