

1 [Navy Lease of 86 Housing Units on Treasure Island and Related Facilities]
 2 APPROVING AND AUTHORIZING THE TREASURE ISLAND DEVELOPMENT AUTHORITY
 3 TO EXECUTE A LEASE WITH THE UNITED STATES NAVY FOR THE FIRST 86 OF A
 4 TOTAL OF 222 HOUSING UNITS ON TREASURE AND YERBA BUENA ISLANDS TO BE
 5 SUBLEASED TO MEMBER ORGANIZATIONS OF THE TREASURE ISLAND HOMELESS
 6 DEVELOPMENT INITIATIVE.

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

14 WHEREAS, Under the Treasure Island Conversion Act of 1997, which amended
 15 Section 33492.5 of the California Health and Safety Code and added Section 2.1 to Chapter
 16 1333 of the Statutes of 1968 (the "Act"), the California legislature (i) designated the Authority
 17 as a redevelopment agency under California redevelopment law with authority over the Base
 18 upon approval of the City's Board of Supervisors, and, (ii) with respect to those portions of the
 19 Base which are subject to the Tidelands Trust, vested in the Authority the authority to
 20 administer the public trust for commerce, navigation and fisheries as to such property; and,

21 WHEREAS, The Tidelands Trust prohibits the sale of trust property into private
 22 ownership, generally requires that Tidelands Trust property be accessible to the public and
 23 encourages public-oriented uses of trust property that, among other things, attract people to
 24 the waterfront, promote public recreation, protect habitat and preserve open space; and,

25
 MAYOR WILLIE L. BROWN, JR., SUPERVISORS AMMIANO, YEE, YAKI, BIERMAN and
 BROWN, LENO, KATZ, NEWSOM
 BOARD OF SUPERVISORS

1 WHEREAS, In order to facilitate productive reuse and job creation on the Base, it may
2 be beneficial for the Authority to lease or license property from the Navy and, in turn, sublease
3 or sublicense such property to third-parties or use such property for municipal purposes; and,

4 WHEREAS, Pursuant to the Base Closure Community Redevelopment and Homeless
5 Assistance Act of 1994, the Treasure Island Homeless Development Initiative ("TIHDI") and
6 the San Francisco Redevelopment Agency negotiated a Base Closure Homeless Assistance
7 Agreement and Option to Sublease Real Property, which was endorsed by the City's Board of
8 Supervisors and approved by the United States Department of Housing and Urban
9 Development (as such agreement is finally approved and adopted by the Authority and the
10 City, the "TIHDI Agreement"); and,

11 WHEREAS, Under the TIHDI Agreement, TIHDI, among other things, is granted the
12 right, upon the satisfaction of certain conditions precedent, to have one or more of its member
13 organizations sublease up to 90 of the housing units on Yerba Buena Island (41 of which are
14 to remain available to the Authority for up to five years) and up to 285 housing units on
15 Treasure Island for homeless San Franciscans, as more particularly described in the TIHDI
16 Agreement (together, the "TIHDI Units"); and,

17 WHEREAS, The Authority and TIHDI intend to enter into four separate subleases (the
18 "TIHDI Subleases") for the first 86 of 222 units of housing on the Base to be subleased to
19 TIHDI member organizations; and,

20 WHEREAS, The Authority and the Navy have negotiated the terms and conditions of a
21 lease for fifteen years for the use of the 86 housing units covered by the TIHDI Subleases (the
22 "TIHDI Master Housing Lease"), substantially in the form of the TIHDI Master Housing Lease
23 filed with the Clerk of the Board in File No. 990128; and,

24 WHEREAS, Among other things, the TIHDI Master Housing Lease provides that the
25 Authority may lease 86 housing units on the Base for fifteen years for use by TIHDI; and,

MAYOR WILLIE L. BROWN, JR., SUPERVISORS AMMIANO, YEE, YAKI, BIERMAN and
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BOARD OF SUPERVISORS

1 WHEREAS, Under the TIHDI Master Housing Lease, the Authority is not required to
2 pay rent to the Navy, however, as consideration for the lease of the premises to the Authority,
3 the Authority is required to (i) actively market the Base, (ii) provide protection and
4 maintenance services to the premises, and (iii) upon use and occupancy of the premises by
5 residential tenants, pay the Navy a Common Services Charge equal to \$0.050 Cents per
6 square foot of interior space and \$0.003 per square foot of exterior space, per month; and,

7 WHEREAS, As additional consideration under the TIHDI Master Housing Lease, the
8 Authority is required, subject to annual appropriations by the Board of Supervisors, to apply
9 certain net revenues generated from the use or sublease of the Premises for property
10 management services on the Base and for improvements to the Base; and

11 WHEREAS, If the Board of Supervisors elects not to appropriate such net revenues for
12 property management services or improvements to the Base, the Navy may terminate the
13 TIHDI Master Housing Lease; and,

14 WHEREAS, In connection with the TIHDI Master Housing Lease, the Authority
15 indemnifies and holds harmless the Navy from any losses or claims suffered by the Navy
16 arising out of the Authority's use of the Premises; and,

17 WHEREAS, Pursuant to the requirements of the California Environmental Quality Act,
18 California Public Resources Code, Sections 21000 et seq., ("CEQA"), the Guidelines for
19 Implementation of CEQA, Title 15 California Code of Regulations Sections 15000 et seq.,
20 ("CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter
21 31"), entitled Environmental Quality, the San Francisco Planning Department prepared two (2)
22 categorical exemptions affecting the decision by this Board of Supervisors to approve the
23 lease that is the subject of this resolution; and,

24 WHEREAS, On September 24, 1997, the Planning Department issued a Categorical
25 Exemption under Guidelines sections 15301(a) and 15301(d) on the basis that the renovation

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1 and occupancy by civilians of approximately 204 existing Series 1400 housing units would not
2 result in a change in use or intensity from previous uses; and,

3 WHEREAS, On November 3, 1997, the Planning Department issued a Categorical
4 Exemption under Guidelines sections 15301, 15303 and 15304(e) and a General Rule
5 Exclusion under Guidelines section 15061(b)(3) for the interim reuse of all facilities on
6 Treasure Island, including but not limited to housing units, on the basis that interim uses that
7 are consistent with the intensity and use of said facilities as documented in the 1995 Existing
8 Conditions Report would not nor could not have a reasonable probability to cause or
9 contribute to a significant effect on the environment; and,

10 WHEREAS, Both categorical exemptions were filed with the Clerk of the Board in File
11 No. 990128 and the 1995 Existing Conditions Report is on file with the Secretary
12 of the Authority; Now, therefore, be it

13 RESOLVED, That the Board hereby approves and authorizes the Authority to enter into
14 the TIHDI Master Housing Lease; and, be it

15 FURTHER RESOLVED, That the Board authorizes the Authority to enter into
16 modifications to the TIHDI Master Housing Lease (including, without limitation, the attachment
17 or modification of exhibits) that are in the best interests of the Authority and the City, do not
18 materially change the terms of the TIHDI Master Housing Lease, and are necessary and
19 advisable to effectuate the purpose and intent of this resolution.

20
21 RECOMMENDED:

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23 ANNEMARIE CONROY
24 Executive Director
25 Treasure Island Development Authority

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BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
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San Francisco, CA 94102-4689

Tails

Resolution

File Number: 990128

Date Passed:

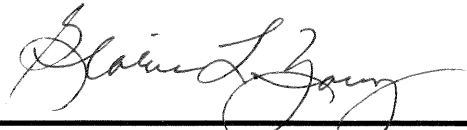
Resolution approving and authorizing the Treasure Island Development Authority to execute with the United States Navy for the first 86 of a total of 222 housing units on Treasure and Yerba Buena Islands to be subleased to member organizations of the Treasure Island Homeless Development Initiative.

February 22, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990128

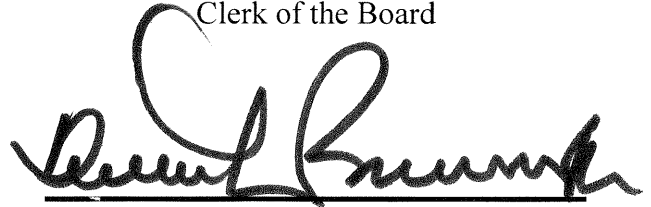
I hereby certify that the foregoing Resolution was ADOPTED on February 22, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAR - 5 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990128 continued...