

1 [Cooperative Agreement Modification - United States Navy - Treasure Island Development
2 Authority]

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 term from October 1, 2015, until the earlier of the termination of the**
6 **Conveyance Agreement executed between the Navy and Authority, or the date that all**
7 **parcels at the former Naval Station Treasure Island are conveyed.**

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

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

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

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

1 (iii) grounds and street maintenance and repair, and (iv) property management and caretaker
2 services; and

3 WHEREAS, The Cooperative Agreement has been amended numerous times and the
4 current term of the Cooperative Agreement expires on September 30, 2015; and

5 WHEREAS, On July 2, 2014, the Authority and the Navy executed the Economic
6 Development Conveyance Memorandum of Agreement (the "Conveyance Agreement"),
7 approved by the Board of Supervisors in Board of Supervisors Resolution No. 212-14 adopted
8 June 24, 2014, setting the terms and conditions for the transfer of the property from the Navy
9 to the Authority, including the conveyance schedule for the on-Island Transfer Parcels; and

10 WHEREAS, The initial transfer of property from the Authority and the Navy occurred
11 effective May 29, 2015, and remaining parcels of property still subject to the Cooperative
12 Agreement will also be transferred to the Authority over the next several years consistent with
13 the terms and conditions of the Economic Development Conveyance Memorandum of
14 Agreement (the "Conveyance Agreement") between the Authority and the Navy; and

15 WHEREAS, The Navy proposes modifying the Cooperative Agreement to extend the
16 term from October 1, 2015, until the earlier of (i) the termination of the Conveyance
17 Agreement executed between the Navy and Authority, or (ii) the date that all parcels at the
18 former Naval Station Treasure Island are conveyed under the same terms and conditions as
19 existed prior to the expiration of the current term of the Cooperative Agreement; and

20 WHEREAS, The Authority Board of Directors approved this Modification at its July 8,
21 2015, meeting; and

22 WHEREAS, The Board of Supervisors Resolution establishing the Authority, AB 699
23 and TIDA's Bylaws require that the Authority obtain Board of Supervisors approval of any
24 agreements having a term in excess of ten (10) years or anticipated revenues of \$1,000,000
25 or more; and

1 WHEREAS, The Cooperative Agreement, as amended, is a contract with a term in
2 excess of 10 years; now, therefore, be it

3 RESOLVED, That the Board of Supervisors hereby approves the Modification and
4 authorizes the Treasure Island Director or his designee to execute and enter into the
5 Modification in substantially the form of the Cooperative Agreement Modification filed with the
6 Clerk of the Board of Supervisors in File No. 150784 and any additions, amendments or other
7 modifications to such Modification (including, without limitation, its exhibits) that the Director of
8 Island Operations of the Authority or her designee determines, in consultation with the City
9 Attorney, are in the best interests of the Authority and do not otherwise materially increase the
10 obligations or liabilities of the Authority, and are necessary or advisable to effectuate the
11 purpose and intent of this resolution; and, be it

12 FURTHER RESOLVED, That within thirty (30) days of the Cooperative Agreement
13 Modification being fully executed by all parties, the Treasure Island Development Authority
14 shall provide the final Cooperative Agreement Modification to the Clerk of the Board for
15 inclusion into the official file.