

1 [Amendment to Land and Structures Master Lease]

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3 **Resolution retroactively approving the Thirtieth Amendment to the Treasure Island**
4 **Land and Structures Master Lease between the Treasure Island Development**
5 **Authority and the U.S. Navy to extend the term.**

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7 WHEREAS, The Treasure Island Development Authority (“Authority”) and the United
8 States of America, acting by and through the Department of the Navy (the "Navy"), entered
9 into a master lease dated November 19, 1998 (the "Land and Structures Master Lease"), for
10 the Authority to use and sublease certain land and structures that are subleased to the San
11 Francisco Little League and several facilities in the Authority’s commercial leasing portfolio as
12 well as areas that are subleased to Rubicon Enterprises to support landscape operations on
13 Treasure Island and Yerba Buena Island; and,

14 WHEREAS, The Land and Structures Master Lease enables the Authority to sublease
15 portions of the master leased area for interim uses and generate revenues to support the
16 interim operation of Treasure Island and the future redevelopment of the former Naval Station
17 Treasure Island; and,

18 WHEREAS, The initial term of the Land and Structures Master Lease expired on
19 November 18, 1999, and the Authority and the Navy have entered into yearly amendments to
20 extend the term; and,

21 WHEREAS, The current term of the Land and Structures Master Lease expired on
22 November 30, 2008; and,

23 WHEREAS, The Authority wishes to retroactively extend the term of the Land and
24 Structures Master Lease for a term beginning on December 1, 2008 and ending on November
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1 30, 2009, unless sooner terminated in accordance with the terms and conditions of the Land
2 and Structures Master Lease; and,

3 WHEREAS, The Navy concurs with such extension and the extension has been
4 approved by the Authority Board of Directors at its September 18, 2008 meeting; and,

5 WHEREAS, The Authority's Bylaws require that the Authority obtain Board of
6 Supervisors approval of any agreements having a term in excess of ten (10) years or
7 anticipated revenues of \$1,000,000 or more; and,

8 WHEREAS, Because the cumulative term of the Land and Structures Master Lease
9 exceeds ten (10) years, the Authority is requesting that the Board of Supervisors retroactively
10 approve the Thirtieth Amendment to the Land and Structures Master Lease to extend the term
11 until November 30, 2009; Now, Therefore, Be It

12 RESOLVED, That the Board of Supervisors hereby approves and authorizes the
13 Director of Island Operations of the Authority to execute and enter into the Thirtieth
14 Amendment to the Land and Structures Master Lease in substantially the form filed with the
15 Clerk of the Board of Supervisors in File No. 090759, and any additions, amendments or other
16 modifications to such Thirtieth Amendment (including, without limitation, its exhibits) that the
17 Director of Island Operations of the Authority or her designee determines, in consultation with
18 the City Attorney, are in the best interests of the Authority and do not otherwise materially
19 increase the obligations or liabilities of the Authority, and are necessary or advisable to
20 effectuate the purpose and intent of this resolution.

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22 RECOMMENDED:

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24 Mirian Saez, Director of Island Operations
25 Treasure Island Development Authority