

File No. 140861

Committee Item No. 7
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date September 17 2014

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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Completed by: Linda Wong Date September 12, 2014
Completed by: _____ Date _____

1 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

2
3 **Resolution approving Amendment No. 10 to the Treasure Island Childcare Master**
4 **Lease between the Treasure Island Development Authority and the United States Navy**
5 **to extend the term for one year for the period of December 1, 2014, through November**
6 **30, 2015.**

7
8 WHEREAS, The Treasure Island Development Authority ("Authority") and the United
9 States of America, acting by and through the Department of the Navy (the "Navy"), entered
10 into master lease No. N6871102RP02P09, dated October 1, 2001, for the Authority to use
11 and sublease certain land and structures on former Naval Station Treasure Island (as
12 amended from time to time, the "Childcare Master Lease") at no rent; and

13 WHEREAS, The Master Lease and Amendments No. 1 through 8 are on file with the
14 Clerk of the Board of Supervisors in File No. 120738 and Amendment No. 9 is on file with the
15 Clerk of the Board of Supervisors in File No. 130905; and

16 WHEREAS, The Childcare Master Lease enables the Authority to sublease the land
17 and structures to Catholic Charities for the purpose of operating a Childcare Center on
18 Treasure Island; and

19 WHEREAS, The term of the Childcare Master Lease expires on November 30, 2014;
20 and

21 WHEREAS, The Authority wishes to extend the term of such lease for a period of one
22 (1) year beginning on December 1, 2014, and ending on November 30, 2015, unless sooner
23 terminated in accordance with the terms and conditions of the Master Lease; and

24 WHEREAS, The Navy concurs with such amendment and the amendment has been
25 approved by the Authority Board of Directors at its July 9, 2014, meeting; and

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

5 WHEREAS, Because the cumulative term of the Childcare Master Lease exceeds ten
6 (10) years, the Authority is requesting that the Board of Supervisors approve the Tenth
7 Amendment to extend the term of such lease for a period of one (1) year beginning on
8 December 1, 2014, and ending on November 30, 2015, unless sooner terminated in
9 accordance with the terms and conditions of the Master Lease; now, therefore, be it
10 RESOLVED, That the Board of Supervisors hereby approves and authorizes the Director of
11 Island Operations of the Authority or her designee to execute and enter into the Tenth
12 Amendment to the Childcare Master Lease in substantially the form filed with the Clerk of the
13 Board of Supervisors in File No. 140861, and any additions, amendments or other
14 modifications to such Tenth Amendment (including, without limitation, its exhibits) that the
15 Director of Island Operations of the Authority or her designee determines, in consultation with
16 the City Attorney, are in the best interests of the Authority and do not otherwise materially
17 increase the obligations or liabilities of the Authority; and are necessary or advisable to
18 effectuate the purpose and intent of this resolution; and, be it

19 FURTHER RESOLVED, That within thirty (30) days of Amendment No. 10 being fully
20 executed by all parties, the Authority shall provide the final Amendment No. 10 to the Clerk of
21 the Board for inclusion into the official file.

CITY & COUNTY OF SAN FRANCISCO

TREASURE ISLAND DEVELOPMENT AUTHORITY
ONE AVENUE OF THE PALMS,
2ND FLOOR, TREASURE ISLAND
SAN FRANCISCO, CA 94130
(415) 274-0660 FAX (415) 274-0299
WWW.SFTREASUREISLAND.ORG



MIRIAN SAEZ
DIRECTOR OF ISLAND OPERATIONS

July 21, 2014

Ms. Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Ms. Calvillo

The Treasure Island Development Authority ("TIDA") requests that the following seven pieces of legislation be formally introduced at the Board of Supervisors and calendared for hearing and consideration of approval at the Boards earliest convenience:

- Extension of the term of the Treasure Island South Waterfront Master Lease between TIDA and the United States Navy ("Navy")
- Extension of the term of the Treasure Island Land and Structures Master Lease between TIDA and the Navy
- Extension of the term of the Treasure Island Marina Master Lease between TIDA and the Navy
- Extension of the term of the Treasure Island Childcare Center Master Lease between TIDA and the Navy
- Extension of the term of the Treasure Island Events Venues Master Lease between TIDA and the Navy
- Extension of the term of the Treasure Island Fire Fighting Training Center Master Lease between TIDA and the United States Navy
- Extension of the term of the Cooperative Agreement between TIDA and the United States Navy.

Please find enclosed one original and four copies of the materials for each item. Thank you for your attention to this matter. Should your office have any questions, please do not hesitate to contact me at 415-274-0669.

Sincerely,


Mirian Saez
Director of Island Operations

Cc: file

Enclosures

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BOARD OF SUPERVISORS
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140861

**Treasure Island Development Authority
City and County of San Francisco**

Resolution Approving the Tenth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to Extend the Term.

SUMMARY OF PROPOSED ACTION:

This item seeks approval and authorization to amend the Master Lease between the Treasure Island Development Authority (the "Authority") and the U.S. Navy (the "Navy") for the Childcare Center on former Naval Station Treasure Island to extend the Term of the Lease to November 30, 2015.

BACKGROUND:

On October 1, 2001, the Authority entered into Lease Number N6871102RP02P09 with the United States Navy (as amended from time to time, the "Childcare Master Lease"). The lease premises include land and structures that are subleased to Catholic Charities for the purpose of operating a Childcare Center on Treasure Island. The Authority does not pay any Base Rent under the Childcare Master Lease, and the Authority uses the subleasing and permit revenues to support the interim operation of Treasure Island. The Master Lease is renewed yearly.

The term of the Childcare Master Lease will expire on November 30, 2014. This Amendment will extend the term to November 30, 2015 on the same terms and conditions as the existing Master Lease.

The Authority's Board of Directors approved the Tenth Amendment to the Childcare Master Lease at its July 9, 2014 meeting. Pursuant to the Board of Supervisors Resolution establishing the Authority, AB 699 and TIDA's Bylaws, Board of Supervisors approval is required of any contract or agreement entered into by the Authority with a term longer than ten years. Because the term of the Childcare Master Lease will exceed ten years, the Director of Island Operations requests approval of the Tenth Amendment from the Board of Supervisors to extend the term to November 30, 2015 on the same terms and conditions as the existing Master Lease.

RECOMMENDATION:

Approve the Tenth Amendment to the Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2015.

Mirian Saez, Director of Island Operations

140861

**TENTH AMENDMENT
TO LEASE AGREEMENT N6871102RP02P09
BETWEEN
THE UNITED STATES OF AMERICA
AND
TREASURE ISLAND DEVELOPMENT AUTHORITY**

THIS LEASE AMENDMENT made this _____ day of _____ 2014, by and between the UNITED STATES OF AMERICA, acting by and through the Department of the Navy, hereinafter called the "Government", and the TREASURE ISLAND DEVELOPMENT AUTHORITY, hereinafter called the "Lessee";

WHEREAS, the parties hereto, as of 1 October 2001, entered into Lease Agreement N6871102RP02P09 under the terms of which the Lessee uses certain real property for space located at the former Naval Station, Treasure Island; and

WHEREAS, the parties agree to amend the terms of the Lease Agreement.

NOW THEREFORE, in consideration of the terms, covenants and conditions hereinafter set forth; the following paragraphs to Lease N6871102RP02P09 are hereby amended to reflect the following changes;

1. Paragraph 2 **TERM**, delete in its entirety and the following paragraph is inserted therefore:

"The term of this Lease shall be for a period of one (1) year beginning on 1 December 2014 and ending on 30 November 2015, unless sooner terminated in accordance with the provisions of Paragraph 14, Termination"

All other terms and conditions of the Lease Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have, on the respective dates set forth above duly executed this amendment to the Lease as of the day and year first above written.

UNITED STATES OF AMERICA

TREASURE ISLAND DEVELOPMENT
AUTHORITY

Title _____

Title _____

APPROVED AS TO FORM:

CITY ATTORNEY