

File No. 130907

Committee Item No. 15
Board Item No. 18

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date: 12/04/2013

Board of Supervisors Meeting

Date: 12/10/2013

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
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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: Victor Young Date November 27, 2013
Completed by: Victor Young Date 12/5/2013

1 [Master Lease Amendment - United States Navy - Treasure Island Fire Fighting Training
2 Center]

3 **Resolution retroactively approving the Fifth Amendment to the Treasure Island Fire**
4 **Fighting Training Center Master Lease between the Treasure Island Development**
5 **Authority and the United States Navy to extend the term for one year, for the period of**
6 **December 1, 2013, through November 30, 2014.**

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 a master lease dated December 19, 1997, for the Authority to use and sublease certain
11 land and structures comprising the former Naval Fire Fighting Training Center on Treasure
12 Island (as amended from time to time, the "Fire Fighting Training Center Master Lease") at no
13 rent; and

14 WHEREAS, The Master Lease and amendments No. 1 through 4 are on file with the Clerk of
15 the Board of Supervisors in File No. 121009; and

16 WHEREAS, The Fire Fighting Training Center Master Lease enables the San
17 Francisco Fire Department to utilize the master leased area for interim use associated with
18 fire-fighting training activities; and

19 WHEREAS, The term of the Fire Fighting Training Center Master Lease expires on November
20 30, 2013; 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, 2013 and ending on November 30, 2014, unless sooner
23 terminated in accordance with the terms and conditions of the Master Lease; and
24
25

1 WHEREAS, The Navy concurs with such amendment and the amendment has been
2 approved by the Authority Board of Directors at its May 8, 2013 meeting; and,

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

7 WHEREAS, Because the cumulative term of the Fire Fighting Training Center Master
8 Lease exceeds ten (10) years, the Authority is requesting that the Board of Supervisors
9 approve the Fifth Amendment to extend the term of such lease for a period of one (1) year
10 beginning on December 1, 2013 and ending on November 30, 2014, unless sooner
11 terminated in accordance with the terms and conditions of the Master Lease; now, therefore,
12 be it
13

14 RESOLVED, That the Board of Supervisors hereby retroactively approves and
15 authorizes the Director of Island Operations of the Authority or her designee to execute and
16 enter into the Fifth Amendment to the Fire Fighting Training Center Master Lease in
17 substantially the form filed with the Clerk of the Board of Supervisors in File No. 130907, and
18 any additions, amendments or other modifications to such Fifth Amendment (including,
19 without limitation, its exhibits) that the Director of Island Operations of the Authority or her
20 designee determines, in consultation with the City Attorney, are in the best interests of the
21 Authority and do not otherwise materially increase the obligations or liabilities of the Authority,
22 and are necessary or advisable to effectuate the purpose and intent of this resolution; and, be
23 it
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1 FURTHER RESOLVED, That within thirty (30) days of the lease amendment being fully
2 executed by all parties the Director of Island Operations of the Authority shall provide the final
3 lease amendment to the Clerk of the Board for inclusion into the official file.
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**Treasure Island Development Authority
City and County of San Francisco**

Resolution Approving the Fifth Amendment to the Treasure Island Fire Fighting Training Center 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 Fire Fighting Training Center on former Naval Station Treasure Island to extend the Term of the Lease to November 30, 2014.

BACKGROUND:

On December 19, 1997 the Treasure Island Development Authority ("Authority") entered into Lease Number N6247498RP00P22 with the United States Navy (as amended from time to time, the "Fire Fighting Training Center Master Lease"). The lease premises include land and structures utilized by the San Francisco Fire Department ("SFFD") as a Fire Training Facility. The Authority does not pay any Base Rent under the Fire Fighting Training Center Master Lease.

The term of the Fire Training Center Master Lease will expire November 30, 2013. The proposed Fifth Amendment extends the term through November 30, 2014 on the same terms and conditions as the existing Fire Fighting Training Center Master Lease.

The Authority's Board of Directors approved the Fifth Amendment to the Fire Fighting Training Center Master Lease at its May 8, 2013 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 Fire Fighting Training Center exceeds ten years, the Director of Island Operations requests approval of the Fifth Amendment from the Board of Supervisors to extend the term to November 30, 2014 on the same terms and conditions as the existing Master Lease.

RECOMMENDATION:

Approve the Fifth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term to November 30, 2014.

Mirian Saez, Director of Island Operations

**FIFTH AMENDMENT
TO LEASE AGREEMENT N6247498RP00P22
BETWEEN**

**THE UNITED STATES OF AMERICA
AND
TREASURE ISLAND DEVELOPMENT AUTHORITY**

THIS LEASE AMENDMENT made this _____ day of _____ 2013, 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 19 December 1997, entered into Lease Agreement N6247498RP00P22 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 N6247498RP00P22 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 2013 and ending on 30 November 2014, 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

CITY & COUNTY OF SAN FRANCISCO



MIRIAN SAEZ
DIRECTOR OF ISLAND OPERATIONS

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

September 18, 2013

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 SEP 20 AM 11:45
AK

Dear Ms. *Calvillo*

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

- 130902* - Extension of the term of the Treasure Island South Waterfront Master Lease between TIDA and the United States Navy ("Navy").
- 130903* - Extension of the term and amendment of the Leased Premises of the Treasure Island Land and Structures Master Lease between TIDA and the Navy
- 130904* - Extension of the term of the Treasure Island Marina Master Lease between TIDA and the Navy
- 130905* - Extension of the term of the Treasure Island Childcare Center Master Lease between TIDA and the Navy
- 130906* - Extension of the term of the Treasure Island Events Venues Master Lease between TIDA and the Navy
- 130907* - Extension of the term of the Treasure Island Fire Fighting Training Center Master Lease 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

