

1 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

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3 **Resolution retroactively approving the Thirty Eighth Amendment to the Treasure Island**
4 **Land and Structures Master Lease between the Treasure Island Development Authority**
5 **and the United States Navy to extend the term for one year, for the period of December**
6 **1, 2013, through November 30, 2014; and amend the leased premises.**

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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 agreement no. N6247499RP42P12, dated November 19, 1998, for the
11 Authority to use and sublease certain land and structures on former Naval Station Treasure
12 Island (as amended from time to time, the "Land and Structures Master Lease") at no rent;
13 and,

14 WHEREAS, The Master Lease and amendments No. 1 through 37 are on file with the
15 Clerk of the Board of Supervisors in File No. 120736; and,

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

19 WHEREAS, The term of the Land and Structures 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 WHEREAS, The Authority wishes to amend the Leased Premises of the Land and
25 Structures Master Lease to add to the Premises certain land and lots located throughout

1 Treasure Island, and as more specifically shown on Exhibit A-14, as attached to the proposed
2 Thirty Eighth Amendment; and,

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

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

9 WHEREAS, Because the cumulative term of the Land and Structures Master Lease
10 exceeds ten (10) years, the Authority is requesting that the Board of Supervisors approve the
11 Thirty Eighth Amendment to extend the term of such lease for a period of one (1) year
12 beginning on December 1, 2013 and ending on November 30, 2014, unless sooner
13 terminated in accordance with the terms and conditions of the Master Lease, and to add to the
14 Premises certain land and lots located throughout Treasure Island, and as more specifically
15 shown on Exhibit A-14, as attached to the proposed Thirty Eighth Amendment; now,
16 therefore, be it

17 RESOLVED, That the Board of Supervisors hereby retroactively approves and
18 authorizes the Director of Island Operations of the Authority or her designee to execute and
19 enter into the Thirty Eighth Amendment to the Land and Structures Master Lease in
20 substantially the form filed with the Clerk of the Board of Supervisors in File No. 130903, and
21 any additions, amendments or other modifications to such Thirty Eighth Amendment
22 (including, without limitation, its exhibits) that the Director of Island Operations of the Authority
23 or her designee determines, in consultation with the City Attorney, are in the best interests of
24 the Authority and do not otherwise materially increase the obligations or liabilities of the
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1 Authority, and are necessary or advisable to effectuate the purpose and intent of this
2 resolution; and, be it

3 FURTHER RESOLVED, That within thirty (30) days of the lease amendment being fully
4 executed by all parties the Director of Island Operations of the Authority shall provide the final
5 lease amendment to the Clerk of the Board for inclusion into the official file.

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