

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

3 **Resolution retroactively approving and authorizing the Treasure Island Development**
4 **Authority to enter into a Modification of the Cooperative Agreement with the United**
5 **States Navy to extend the Cooperative Agreement for the period of October 1, 2013,**
6 **through September 30, 2014.**

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

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

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

20 WHEREAS, On September 3, 1997, the Board of Supervisors passed Resolution No.
21 806-97, authorizing the City to enter into a Cooperative Agreement with the Navy under
22 which the City (initially) and the Authority (subsequently) agreed to assume certain
23 responsibilities for (i) operation and maintenance for the water, waste water, storm water,
24 electric and gas utility systems on the Base, (ii) security and public health and safety services,
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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, 2013; and

5 WHEREAS, The Authority and the Navy wish to extend the term of the Cooperative
6 Agreement to September 30, 2014, by entering into a Modification to the Cooperative
7 Agreement in substantially the form of the Cooperative Agreement Modification filed with the
8 Clerk of the Board of Supervisors in File No. 130884 (the "Modification"); and

9 WHEREAS, The Authority Board of Directors approved this Modification at its May 8th,
10 2013 meeting; and

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

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

17 RESOLVED, That the Board of Supervisors hereby approves the Modification,
18 retroactive to October 1, 2013, and authorizes the Director of Island Operations of the
19 Authority or her designee to execute and enter into the Modification in substantially the form of
20 the Cooperative Agreement Modification filed with the Clerk of the Board of Supervisors in File
21 No.130884 and any additions, amendments or other modifications to such Modification
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 agreement being fully
4 executed by all parties, the Director of Island Operations of the Authority shall provide the final
5 agreement to the Clerk of the Board for inclusion into the official file.

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