

File No. 140865

Committee Item No. 11

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Budget & Finance Committee

Date September 17 2014

Board of Supervisors Meeting

Date _____

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OTHER

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Completed by: Linda Wong
Completed by: _____

Date September 12, 2014
Date _____

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

2
3 **Resolution approving Amendment No. 18 to the Treasure Island Marina Master Lease**
4 **between the Treasure Island Development Authority and the United States Navy to**
5 **extend the term for one year for the period of December 1, 2014, through November 30,**
6 **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 a master lease dated September 4, 1998, for the Authority to use and sublease certain
11 land and structures on former Naval Station Treasure Island (as amended from time to time,
12 the "Marina Master Lease") at no rent; and

13 WHEREAS, The Master Lease and Amendments No. 1 through 16 are on file with the
14 Clerk of the Board of Supervisors in File No. 120737 and Amendment No. 17 is on file with the
15 Clerk of the Board of Supervisors in File No. 130904; and

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

20 WHEREAS, The term of the Marina Master Lease expires on November 30, 2014; 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 Marina Master Lease exceeds ten
6 (10) years, the Authority is requesting that the Board of Supervisors approve the Eighteenth
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
11 Director of Island Operations of the Authority or her designee to execute and enter into the
12 Eighteenth Amendment to the Marina Master Lease in substantially the form filed with the
13 Clerk of the Board of Supervisors in File No. 140865, and any additions, amendments or other
14 modifications to such Eighteenth Amendment (including, without limitation, its exhibits) that
15 the Director of Island Operations of the Authority or her designee determines, in consultation
16 with 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. 18 being fully
20 executed by all parties, the Authority shall provide the final Amendment No. 18 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

RECEIVED
BOARD OF SUPERVISORS
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140865

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

Resolution Approving the Eighteenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the U.S. 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 Marina on former Naval Station Treasure Island to extend the Term of the Lease to November 30, 2015.

BACKGROUND:

On September 4, 1998, the Authority entered into Lease Number N6247498RP00Q01 with the United States Navy (as amended from time to time, the "Marina Master Lease"). The lease premises include certain land and buildings, including the Treasure Island Marina, the marina boat slips and the Treasure Island Yacht Club. The Authority does not pay any base rent under the Marina 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 Marina Master Lease will expire November 30, 2014. The proposed Eighteenth Amendment extends the term through November 30, 2015 on the same terms and conditions as the existing Marina Master Lease.

The Authority's Board of Directors approved the Eighteenth Amendment to the Marina 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 Marina Master Lease exceeds ten years, the Director of Island Operations requests approval of the Eighteenth 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 Eighteenth Amendment to the Marina 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

**EIGHTEENTH AMENDMENT
TO LEASE AGREEMENT N6247498RP00Q01
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 4 September 1998, entered into Lease Agreement N6247498RP00Q01 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 N6247498RP00Q01 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