

File No. 130906

Committee Item No. 14

Board Item No. 17

## 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 type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
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| <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 |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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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 Event Venues]

2  
3 **Resolution retroactively approving the Twenty Fifth Amendment to the Treasure Island**  
4 **Event Venues Master Lease between the Treasure Island Development Authority and**  
5 **the United States Navy to extend the term for one year, for the period of December 1,**  
6 **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 September 4, 1998, for the Authority to use and sublease certain  
11 land and structures in the Event Venues area of Treasure Island (as amended from time to  
12 time, the "Event Venues Master Lease") at no rent; and

13 WHEREAS, The Master Lease and amendments No. 1 through 24 are on file with the  
14 Clerk of the Board of Supervisors in File No. 120739; and

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

18 WHEREAS, the term of the Event Venues Master Lease expires on November 30,  
19 2013; and

20 WHEREAS, The Authority wishes to extend the term of such lease for a period of one  
21 (1) year beginning on December 1, 2013 and ending on November 30, 2014, unless sooner  
22 terminated in accordance with the terms and conditions of the Master Lease; and

23 WHEREAS, The Navy concurs with such amendment and the amendment has been  
24 approved by the Authority Board of Directors at its May 8, 2013 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 Event Venues Master Lease exceeds  
6 ten (10) years, the Authority is requesting that the Board of Supervisors approve the Twenty  
7 Fifth Amendment to extend the term of such lease for a period of one (1) year beginning on  
8 December 1, 2013 and ending on November 30, 2014, 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 retroactively approves and  
11 authorizes the Director of Island Operations of the Authority or her designee to execute and  
12 enter into the Twenty Fifth Amendment to the Event Venues Master Lease in substantially the  
13 form filed with the Clerk of the Board of Supervisors in File No. 130906, and any additions,  
14 amendments or other modifications to such Twenty Fifth Amendment (including, without  
15 limitation, its exhibits) that the Director of Island Operations of the Authority or her designee  
16 determines, in consultation with the City Attorney, are in the best interests of the Authority and  
17 do not otherwise materially increase the obligations or liabilities of the Authority, and are  
18 necessary or advisable to effectuate the purpose and intent of this resolution; and, be it

19           FURTHER RESOLVED, That within thirty (30) days of the lease amendment being fully  
20 executed by all parties the Director of Island Operations of the Authority shall provide the final  
21 lease amendment to the Clerk of the Board for inclusion into the official file.  
22  
23  
24  
25

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

**Resolution Approving the Twenty-Fifth Amendment to the Treasure Island Event Venues 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 Event Venues on former Naval Station Treasure Island to extend the Term of the Lease to November 30, 2014.

**BACKGROUND:**

On September 4, 1998, the Authority entered into lease agreement N6247498RP00Q03 with the United States Navy (the "Event Venues Master Lease") for certain land and structures on former Naval Station Treasure Island. The lease premises includes event venues managed by the Joint Venture between the Treasure Island Homeless Development Initiative, Toolworks and Wine Valley Catering, as well as the Treasure Island Great Lawn. The Authority does not pay any base rent under the Event Venues 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 Event Venues Master Lease will expire on November 30, 2013. The proposed Twenty-Fifth Amendment will extend the term to November 30, 2014 on the same terms and conditions as the existing Event Venues Master Lease.

The Authority's Board of Directors approved the Twenty-Fifth Amendment to the Event Venues 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 Event Venues Master Lease exceeds ten years, the Director of Island Operations requests approval of the Twenty-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 Twenty-Fifth Amendment to the Event Venues 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

**TWENTY FIFTH AMENDMENT  
TO LEASE AGREEMENT N6247498RP00Q03  
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 4 September 1998, entered into Lease Agreement N6247498RP00Q03 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 N6247498RP00Q03 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,  
2<sup>ND</sup> 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