

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

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3 **Resolution approving the Thirty Eighth Amendment to the Treasure Island Land and**  
4 **Structures Master Lease between the Treasure Island Development Authority and the**  
5 **United States Navy to extend the term for a period of one year beginning on December**  
6 **1, 2013, and ending on 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 approves and authorizes the  
18 Director of Island Operations of the Authority or her designee to execute and enter into the  
19 Thirty Eighth Amendment to the Land and Structures Master Lease in substantially the form  
20 filed with the Clerk of the Board of Supervisors in File No. 130903, and any additions,  
21 amendments or other modifications to such Thirty Eighth Amendment (including, without  
22 limitation, its exhibits) that the Director of Island Operations of the Authority or her designee  
23 determines, in consultation with the City Attorney, are in the best interests of the Authority and  
24 do not otherwise materially increase the obligations or liabilities of the Authority, and are  
25 necessary or advisable to effectuate the purpose and intent of this resolution; and, be it

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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