

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

2

3 **Resolution retroactively approving the Ninth Amendment to the Treasure Island**
4 **Childcare Master Lease between the Treasure Island Development Authority and the**
5 **United States Navy to extend the term for one year, for the period of December 1, 2013,**
6 **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 master lease No. N6871102RP02P09, dated October 1, 2001, for the Authority to use
11 and sublease certain land and structures on former Naval Station Treasure Island (as
12 amended from time to time, the "Childcare Master Lease") at no rent; and,

13 WHEREAS, The Master Lease and amendments No. 1 through 8 are on file with the
14 Clerk of the Board of Supervisors in File No. 120738; and,

15 WHEREAS, The Childcare Master Lease enables the Authority to sublease the land
16 and structures to Catholic Charities for the purpose of operating a Childcare Center on
17 Treasure Island; and,

18 WHEREAS, The term of the Childcare Master Lease expires on November 30, 2013;
19 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,

25

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 Childcare Master Lease exceeds ten
6 (10) years, the Authority is requesting that the Board of Supervisors approve the Ninth
7 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 Ninth Amendment to the Childcare Master Lease in substantially the form filed
13 with the Clerk of the Board of Supervisors in File No. 130905, and any additions, amendments
14 or other modifications to such Ninth 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 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.