

1 [Bylaws Amendment - Treasure Island Development Authority - Contract Authorization of Up
2 to \$10,000,000]

3 **Resolution approving the Fourth Amendment to the Treasure Island Development**
4 **Authority (the "Authority") Bylaws to allow the Authority Board of Directors to**
5 **authorize contracts with a value of up to \$10,000,000 consistent with City departments,**
6 **under Charter, Section 9.118, before requiring Board of Supervisors approval; and to**
7 **update the Authority's office address.**

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

15 WHEREAS, Under the Treasure Island Conversion Act of 1997, which amended
16 Section 3492.5 of the California Health and Safety Code and added Section 2.1 to Chapter
17 133 of the Statutes of 1968 (the "Act"), the California legislature (i) designated the Authority as
18 a redevelopment agency under California redevelopment law with authority over the Base
19 upon approval of the City's Board of Supervisors, and, (i) with respect to those portions of the
20 Base which are subject to the Tidelands Trust, vested in the Authority the authority to
21 administer the public trust for commerce, navigation and fisheries as to such property; and

22 WHEREAS, Under the provisions of the Act, any contract of the Authority with a value
23 in excess of one million dollars (\$1,000,000) prior to the adoption of a Redevelopment Plan
24 was to be submitted to the Board of Supervisors for approval; and

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1 WHEREAS, The Board of Supervisors approved the designation of the Authority as a
2 redevelopment agency with powers over Treasure Island in Resolution No. 43-98, dated
3 February 6, 1998; and

4 WHEREAS, On February 25, 1998, the Board of Directors for the Authority approved
5 and adopted the Bylaws of the Authority; on May 20, 1998, the Board of Directors for the
6 Authority approved and adopted the First Amended and Restated Bylaws of the Authority; on
7 April 14, 2004, the Board of Directors for the Authority approved and adopted the Second
8 Amended and Restated Bylaws of the Authority; and on April 19, 2012, the Board of Directors
9 for the Authority approved and adopted the Third Amended and Restated Bylaws of the
10 Authority (the "Authority Bylaws"); and

11 WHEREAS, The Authority Bylaws currently require the Board of Supervisors to
12 approve any Authority contract in excess of \$1,000,000; and

13 WHEREAS, In February 2011, after Governor Brown announced his intention to
14 eliminate California Redevelopment, the Authority revised the intended Redevelopment Plan
15 for Treasure Island to proceed as a conventional development project without reliance on
16 redevelopment financing tools; and

17 WHEREAS, On January 24, 2012, the Board of Supervisors rescinded designation of
18 the Authority as the redevelopment agency for Treasure Island under California Community
19 Redevelopment Law in Resolution No. 1-12; and that such rescission does not affect
20 Authority's status as the Local Reuse Authority for Treasure Island or the Tidelands Trust
21 trustee for the portions of Treasure Island subject to the Tidelands Trust, or any of the other
22 powers or authority; and

23 WHEREAS, Section 9.118 of the Charter of the City and County of San Francisco (the
24 "Charter") requires Board of Supervisors approval for any departmental contract with
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1 anticipated expenditures in excess of ten million dollars (\$10,000,000) or anticipated revenues
2 in excess of one million dollars (\$1,000,000): and,

3 WHEREAS, The Authority's Bylaws, Article V Section 2, currently requires the Authority
4 to seek Board of Supervisors approval for any Authority contract in excess of 10 years or
5 worth more than \$1,000,00; and

6 WHEREAS, The Authority wishes to amend Article V-Section 2 of the Authority Bylaws
7 to conform its contracting authority to the provisions of the Charter allowing the award of
8 contracts with expenditures of up to \$10,000,000 before Board of Supervisors approval is
9 required; and

10 WHEREAS, The Authority wishes to make additional minor amendments to the Authority
11 Bylaws Article II-Section 1 to revise the listed principal office address of the Authority and to
12 correct a misspelling; and

13 WHEREAS, The Authority Board of Directors has approved and adopted these
14 amendments as the Fourth Amended and Restated Bylaws of the Treasure Island
15 Development Authority (the "Fourth Amended Bylaws") at its October 11, 2017, meeting by
16 Resolution No. 17-35-10/11 and has directed the Treasure Island Director to submit the
17 Fourth Amended Bylaws to the Board of Supervisors for approval; now, therefore, be it

18 RESOLVED, That the Board of Supervisors hereby approves and authorizes the
19 Treasure Island Director or his designee to execute and enter into the Fourth Amended
20 Bylaws of the Treasure Island Development Authority in substantially the form filled with the
21 Clerk of the Board of Supervisors in File No. _____; and be it

22 FURTHER RESOLVED, That upon Board of Supervisors approval of the Fourth
23 Amended Bylaws, the Secretary of the Authority is hereby directed to execute a Certificate of
24 Adoption of said Fourth Amended Bylaws and forward to the Mayor for approval, and insert

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1 the Fourth Amended Bylaws as so certified in the Minute Book of the Authority and to keep a
2 copy of such Minute Book at the principal office of the Authority; and, be it

3 FURTHER RESOLVED, That within thirty (30) days of the Fourth Amended Bylaws
4 and the Certificate of Adoption being fully executed, the Authority shall provide the final
5 document to the Clerk of the Board for inclusion into the official file.

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