FILE NO. 100785

RESOLUTION NO. 328-10

[Modification of the Cooperative Agreement with the United States Navy]

Resolution Approving and Authorizing the Treasure Island Development Authority to Enter into a Modification of the Cooperative Agreement with the United States Navy to Extend the Cooperative Agreement from October 1, 2010 to September 30, 2011.

WHEREAS, Former Naval Station Treasure Island is a military base located on Treasure Island and Yerba Buena Island (together, the "Base"), which is currently owned by the United States of America (the "Navy"); and

WHEREAS, The Base was selected for closure and disposition by the Base Realignment and Closure Commission in 1993, acting under Public Law 101-510, and its subsequent amendments; and

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

WHEREAS, On September 3, 1997, the Board of Supervisors passed Resolution No. 806-97, authorizing the City to enter into a Cooperative Agreement with the Navy under which the City (initially) and the Authority (subsequently) agreed to assume certain responsibilities for (i) operation and maintenance for the water, waste water, storm water, electric and gas utility systems on the Base, (ii) security and public health and safety services, (iii) grounds and street maintenance and repair, and (iv) property management and caretaker services; and

Treasure Island Development Authority BOARD OF SUPERVISORS WHEREAS, The Cooperative Agreement has been amended numerous times and the current term of the Cooperative Agreement expires on September 30, 2010; and

WHEREAS, The Authority and the Navy wish to extend the term of the Cooperative Agreement to September 30, 2011 by entering into a Modification to the Cooperative Agreement in substantially the form of the Cooperative Agreement Modification filed with the Clerk of the Board of Supervisors in File No. <u>100785</u> (the "Modification"); and

WHEREAS, The Authority's organizational documents require the Board of Supervisors' approval of any contract that the Authority enters into prior to the adoption of a redevelopment plan for the Base if the contract is worth more than \$1,000,000 or has a term of 10 years or more; and

WHEREAS, The Cooperative Agreement, as amended, is a contract for an amount in excess of \$1,000,000 and with a term in excess of 10 years; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the Modification and authorizes the Director of Island Operations of the Authority or her designee to execute and enter into the Modification in substantially the form of the Cooperative Agreement Modification filed with the Clerk of the Board of Supervisors in File No. <u>100785</u> and any additions, amendments or other modifications to such Modification (including, without limitation, its exhibits) that the Director of Island Operations of the Authority or her designee determines, in consultation with the City Attorney, are in the best interests of the Authority and do not otherwise materially increase the obligations or liabilities of the Authority, and are necessary or advisable to effectuate the purpose and intent of this resolution.

Treasure Island Development Authority BOARD OF SUPERVISORS



City and County of San Francisco Tails Resolution

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number: 100785

Date Passed: July 20, 2010

Resolution approving and authorizing the Treasure Island Development Authority to enter into a Modification to the Cooperative Agreement with the U.S. Navy to extend the Cooperative Agreement from October 1, 2010, to September 30, 2011.

July 20, 2010 Board of Supervisors - ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100785

I hereby certify that the foregoing Resolution was ADOPTED on 7/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board Mayo/Gavin Newsom Date Approved