

CHAPTER 898e

An act to amend Section 492.5 of the Health and Safety Code, and to add Section 2.1 to Chapter _____ of the Statutes of 1968, relating to redevelopment.

[Approved by Governor October 2, 1997. Filed with the Secretary of State October 2, 1997.]

The people of the State of California do enact as follows:

SECTION ____ . This act shall be known and may be cited as the Treasure Island Conversion Act of 1997.

SEC. 2. Section 492.5 of the Health and Safety Code is amended to read:

492.5. (a) In the community in which a military base is located, the Base Closure Commission has voted to close that military base, and the action of the Base Closure Commission has been sustained by the President and Congress of the United States, a project area may be adopted pursuant to the following requirements:

(1) If the project area is located entirely within the boundaries of a city, or a city and county, then the redevelopment agency of the city, or the city and county, may adopt the redevelopment project area pursuant to this part as modified by this chapter.

(2) If the project area is located entirely within the unincorporated area of a single county, then the county redevelopment agency may adopt the redevelopment project area pursuant to this part as modified by this chapter.

(3) If the project area includes property within the jurisdiction of two or more cities, or two or more counties, or a city and a county, or any combination of the foregoing, then all of the cities and counties the jurisdiction of which include property within the boundaries of the military base and any other territory to be included within the redevelopment project area may enter into a joint power agreement, or an agreement entered into pursuant to Section 210, or other appropriate agreements for the purpose of creating a

redevelopmente agencye ande adoptinge ae projecte areae pursuante toe thise part as modified by this chapter.e

(b) Ae redevelopment agencye toe whiche thise chapter e ise applicable maye adopte ae projecte areae eithere pursuante toe thise chapter e ore pursuante toe other relevant provisions of this part.e

SEC.e . (a) The Legislature findse ande declarese alle ofe the following:e

(b) Ite is the intende ofe the Legislature with the nactment ofe thise act toe provide ae meane fore mitigatinge the serious economic effectse ofe the closure ofe Navale Statione Treasure Islande on the Citye ande Countye ofe Sane Francisco, e its surroundinge communities, e ande the State ofe Californiae bye vestinge ae single ntitye with the redevelopment authoritye over the propertye and, ewith respect toe that e portione ofe the propertye subjecte toe the public truste fore navigation, e commerce, e ande fisheries, e the power to administer the trust.e

(1) That e propertye knowne ase Navale Statione Treasure Island, ewhiche includes Treasure Island and Yerba Buena Island, was selected fore closure ande dispositione bye the Base Realignmente ande Closure Commissione ine 993, e actinge undere Publice Law 01-510e ande its subsequente amendments, e ande is scheduled fore operationale closure one Octobre ,e 997. The conversione ofe Navale Statione Treasure Island toe productive civiliane reuse presentse unique redevelopmente issuee whiche would be best addressede bye ane agencye createde specificallye fore that purpose.e

(2) Alle forme and existinge tide ande submergede landse on the Navale Station, including all ofe Treasure Island and portions ofe Yerba Buena Island, ewille be subjecte toe the public truste fore navigation, e commerce, e and fisheries upon their release from federal ownership. In the absence ofe legislative action, e these propertye woulde automaticallye be broughte under the jurisdictione ofe the Porte ofe Sane Franciscoe pursuante to, e ande subjecte toe the termse ande requirementse of, e the Burtone Acte (Chaptere of the Statutes ofe 968).e

(3) Certaine buildingse ande othere structurese constructede one Treasure Islande duringe the periode ofe federale ownershipewere builte fore nontruste purposese ande are note adaptable fore trustee relatede uses.e These buildingse ande structurese are ine varieuse stagee ofe there usefule lives, e some having be n constructede onlea few years priore to the schedulede closure.e The conversione ofe the landse underlyinge these buildingse ande structurese toe trust uses in the future should proceede in a manner thate wille nable the people ofe thise state toe benefite from the substantiale investmentse made ine these structurese withoute hinderinge the overalle goal of preservinge the public trust.e

(4) Treasure Islande alsoe containse hangarse thate were builte fore maritime aviatione purposee. These structurese maye be utilizede fore trust uses in the future, but no trust related use has be n identifiede for them in the near term.e

(5) The creatione ofe a single publice agencye thate ise vestede with the bothe redevelopmente authoritye ande the power toe administer the truste wille

facilitate the conversion of Navale Statione Treasure Islande toe productive civilianereuse andeiseinthe besteinterestseofethe people of this state.e

SEC. 4. For the purposes of this act:e

(a) "Property"e meanse thate propertye commonlye knowne ase Navale Statione Treasure Island, which includes Treasure Island and Yerbae Buena Island, and is more particularly described as follows:e

All of the land acquired from the City and County of San Franciscoe asdescribedeinthe Judgementeofethe DeclarationeofeTakingeforeCivile Action 22164-Wefiled in the District Court of the United States in ande for the Northern Districteof California, SoutherneDivision on Aprile ,e 1942, and being more particularly described as follows:e

Beginninge ate ae monument establishede neare the westerly ende ofe YerbaeBuenaIslandebyethe UnitedStateSeCoasteandeGeodeticeSurveye aboute 5fe teabove highetide,eknowneandedesignatedebyesaidesurveye aseStationeGoat,elocatedeatelatitude $48' 40.3876$ North,elongitude $22^{\circ} 22' .657$ eWest (values as determined by the United StateSeCoasteandeGeodeticeSurveyeaseofethe yeare 930)anderunningethence N 28° W a distance of 8,000 feet, thence N 62° E a distance of 4,500 feet,e thence S 28° E a distance of 8,000 fe t, thence Se 62° eW a distance of 4,500 fe t to the point of beginning; all bearingsebeing referred to the true meridianethroughesaideStationeGoat, exceptingefromesaidegrante thateportioneofethe landseabove particularlyedescribed,elyingenortherlye of Yerba Buena Island and adjacent thereto, extending from high wateremarketo900efe tebeyondelow wateremark,ethe latterreportioneso excepted being a part of the landse granted and ceded by the State ofCaliforniaaetoethe UnitedStateSeofeAmericaebythethatcertaineActeofe the Legislature of the State of Californiae ntitlede "Ane Acte relinquishing to the United States of America the title of this State toe certain land", approved March 9,e 897.e

ALONG WITHe

Alle ofe the tide ande submergede lande situatede ate Navale Statione Treasure Islandeacquiredefromethe State ofeCaliforniaebyethe Unitede States of America by the Acteof Legislature of the State of Californiae on March 9,e 897.e

EXCEPTING therefrom that portion of those lands grantedeby these actelyinge southeasterlye ofe aeline showne one the Departmente ofe the Navy,eNavaleFacilitieseEngine ringeCommandeRealeEstate Summarye MapehavingeNAVFACeDWGeNOs.e 296802ande 296803,andebeinge the boundarye betw ene the Navale Statione Treasure Islande ande the Landse Ownede bye the Unitede StateSeCoaste Guard,e saide line more particularly described as follows:e

CommencingeataepointthatebearseSe $20^{\circ} e 02' W 951$ efe t from ae granite monumente showne one the above describe mape ase pointe numbere 02,thence S $03^{\circ} 50' W 910$ fe t more or lesseto a pointe 00e yardsebeyondethe low-watermarkeandebeinge the waterwardelimitseofe the tide ande submergede lande acquirede bye the Unitede StateSe ofe Americae ate Navale Statione Treasure Islande bye the Acte ofe the

Legislature of the State of California on March 9, 1897, said point being the TRUE POINT OF BEGINNING of the herein described line; thence along said line the following courses: N 03° 50' E 910 feet more or less to a point that bears S 20° 02' W 951 feet from a monument shown on the above map as Granite point number 02, thence N 9° 54' E 562.54 feet; thence S 80° 53' E 450.04 feet; thence N 82° 04' 07" E 81.46 feet to the left having a radius of 276.66 feet, through a central angle of 05° 20', along an arc a distance of 294.98 feet; thence N 6° 49' 07" W 101.83 feet; thence N 02° 48' E 21 feet; thence N 0° 00' E 24.72 feet; thence N 02° 42' 24" W 30 feet; thence N 89° 02' E 9.26 feet; thence along a curve to the left whose radius bears S 57° 50' W 50 feet, through a central angle of 26° 24', along an arc a distance of 234.99 feet; thence along a curve to the left whose radius bears S 45° 00' W 43 feet, through a central angle of 1° 00', along an arc a distance of 50.70 feet; thence along a curve to the left having a radius of 91 feet, through a central angle of 83° 09', and having a chord that bears N 26° 25' 00" E 120.78 feet; thence N 43° 15' 40" E 25.84 feet; thence along a curve to the right having a radius which bears N 51° 09' E 200 feet, through a central angle of 9° 45', along an arc a distance of 243.47 feet; thence N 51° 29' E 0 feet; thence S 80° 27' 26" E 56.06 feet; thence N 53° 00' E 274.53 feet; thence S 02° 49' 04" W 574.47 feet; thence S 15° 38' 44" E 241.28 feet; thence S 84° 02' W 25 feet; thence S 05° 48" E 40.4 feet; thence N 85° 00' E 900 feet more or less to a point three hundred yards beyond the low water mark of San Francisco Bay being the waterward limit of the tide and submerged lands acquired by the United States of America at Naval Station Treasure Island by the Act of Legislature of the State of California on March 9, 1897.

ALONG WITH

Those lands described in the Executive Order dated November 1, 1850, for Yerba Buena Island (Goat Island) situated de upland from the Ordinary High Water Mark of San Francisco Bay;

EXCEPTING THEREFROM that portion of Yerba Buena Island lying southeasterly of a line shown on the Department of the Navy, Naval Facilities Engineering Command Real Estate Summary Map having NAVFAC DWG NO. 296803 and being the boundary between the Naval Station Treasure Island and the Land Owned by the United States Coast Guard and more particularly described as follows: Commencing at a point that bears S 89° 02' W 403.34 feet and S 9° 53' 48" W 340 feet from a granite monument shown on the above map as Granite point number 02, thence S 9° 54' W 562.5 feet more or less to the intersection with the ORDINARY HIGH WATER MARK of San Francisco Bay, said point being the TRUE POINT OF BEGINNING of the herein described line; thence along said line the following courses: N 9° 54' E 562.54 feet more or less to a point that bears N 89° 02' E 403.34 feet and S 9° 53' 48" W 40 feet from a monument shown on the above map as Granite point number 02; thence S 80° 53' E 450.04 feet; thence N 82° 04' 07" E 81.46 feet to the

acurve toethe lefthavingeaeradiuseofe276.66efe t,ethroughae centrale angle ofe 05' 20", along an arc a distance of 294.98 fe t; thence Ne 6° 49' 07ℓ E 101.83 fe t; thence N 02° e 4 8' E 21ℓfe t; thence N 0° e ' " E 24.72 fe t; thence N 02° 42' 24" We .3ℓ t; thence N 89° 02' Ee 9.26ℓ t;ethence alongeacurve toethe leftwhose radiusebearsSe 57ℓ We 50fe t, through a central angle of 26° 24', along an arc ae distance ofe234.99efe t;ethence alongeacompoundecurve whose radiuse bears S 45° e ' W 4 ℓ, through a central angle ofe ° e ', along an arce a distance of 50.70 fe t; thence along a curve to the left having a radiuse of 91fe t, through a central angle of 83° 09', and having a chord that bears N 26° 25' ℓ Ee 20.78fe t; thence N 43° e 5 40" Ee 25.84fe t; e thence alongeacurve toethe righthavingeaeradiusewhichebearsNe51° e 9 E 200 feet, through a central angle of 69° 45', along an arc a distance of 243.47ℓfe t; thence N 51° 29' Eℓ30 feet; thence S 80° 27ℓ26ℓ Ee 56.06e fe t; thence N 53° e ' 5' E 274.53ℓfe t more or less to the approximate mean high water line 965 as shown on the above referenced mape and the end of the herein described line.e

(b) "Truste Property"e meanse thate portione ofe the propertye consistinge ofe those xistingeande formere tidelandse ande submergede landsecommonlyeknowneaseTreasure Island,etogetherewiththeall existinge and former tide and submerged lands on Yerba Buena Island, all ofe whicheare subjectetoethe publictrusteforenavigation,ecommerce,eande fisheries.e The Truste Propertye ise more particularlye describe de ase follows:e

All of the land acquired from the City and County of San Franciscoe asedescrbedeinethe Judgementeofethe DeclarationeofeTakingeforeCivile Action 22164-Wefiled in the District Court of the United States in ande for the Northern Districteof California, SoutherneDivision on Aprile ,e 1942, and being more particularly described as follows:e

BEGINNINGeateaemonument establishedenearethe westerly endeofe YerbaeBuenaeIslandebythe UnitedeStateseCoasteandeGeodeticseSurveye aboute 5ℓfe teabove hightide,eknowneandedesignatedebyesaidesurveye aseStationsGoat,elocatedeatalatitude °48' 40.387ℓ North,elongitude 22° 22' .657ℓeWest (values as determined by the United States CoasteandeGeodeticseSurveyeasofethe yeare 930)anderunningethence N 28° W a distance of 8,000 feet, thence N 62° E a distance of 4,500 feet,e thence S 28° E a distance of 8,000 fe t, thence Se62° eW a distance ofe 4,500 fe t to the point of beginning; all bearingsbeing referred to the true meridianthroughesaideStationsGoat, exceptingefromesaidegrante thateportioneofethe landseabove particularlyedescribed,elyingenortherlye of Yerba Buena Island and adjacent thereto, extending from high wateremarketoe900efe tebeyondelow wateremark,ethe latterportioneso excepted being a part of the landse granted and ceded by the State ofeCaliforniaetoethe UnitedeStateseofeAmericaebyethatcertaineActeofe the Legislature ofe the State ofe Californiae ntitlede "Ane Acte relinquishing to the United States ofe America the title of this State toe certain land", approved March 9,e 897.e

ALONG WITHe

Alle ofe the tide ande submergede lande situatede ate Navale Statione Treasure Islandeacquiredefromethe State ofeCaliforniaebyethe Unitede States ofe America by the Acteof Legislature of the State ofe Californiae on March 9,e 897.e

EXCEPTING therefrom that portion of those lands grantedeby thise actelyinge southeasterlye ofe aeline showne onthe Departmente ofe the Navy,eNavaleFacilitieseEngine ringeCommande RealeEstate Summarye MapehavingeNAVFACEDWGeNOs.e 296802ande 296803,andebeinge the boundarye betwene the Navale Statione Treasure Islande ande the Landse Ownede bye the Unitede Statese Coaste Guard,e saide line more particularly described as follows:e

CommencingeateapointthatebearseSe $20^{\circ}02'$ W 951efe t from ae granite monumente showne onthe above describede mape ase Granite point numbere 02,thence S $03^{\circ}50'$ W 910 fe t more or less to a pointe 00yardsebeyondethe low-wateremarkeandebeingethe waterwardelimitse ofe the tide ande submergede lande acquirede bye the Unitede Statese ofe Americae ate Navale Statione Treasure Islande bye the Acte ofe the Legislature ofe the State ofe Californiae one Marche 9,e 897,saide pointe beingethe TRUEePOINTE OFeBEGINNINGe ofe the herein describede line; thence along said line the following courses: N $03^{\circ}50'$ E 910 fe t more or less to a point that bears S $20^{\circ}02'$ W 951efe t from a monumente showneonthe above mapeaseGranite pointenumbere 02,thence Ne $9^{\circ}54'$ E 562.54 fe t; thence S $80^{\circ}05'$ E 450.04 fe t; thence N $82^{\circ}04'07\frac{1}{2}$ Ee81.46efe ttoeae curve toethe lefthavinge aradiuse ofe 276.66efe t,e through a central angle ofe $05^{\circ}20''$, along an arc a distance of 294.98e fe t; thence N $6^{\circ}49'07\frac{1}{2}$ W 101.83 fe t; thence N $02^{\circ}04'08'$ E 21 fe t; e thence N $0^{\circ}05'00''$ E 24.72 fe t; thence N $02^{\circ}42'24''$ We $03\frac{1}{2}$ fe t; e thence N $89^{\circ}02'$ Ee $09.26\frac{1}{2}$ fe t; thence along a curve to the left whose radius bearsSe $57\frac{1}{2}$ We 50fe t, through a central angle of $26^{\circ}24'$,e along an arc a distance of 234.99 fe t; thence along a curve to the left whose radius bears S $45^{\circ}05'$ W 43efe t, through a central angle ofe $05^{\circ}00'$, along an arc a distance of 50.70 fe t; thence along a curve to the left havinge a radius of 91efe t, through a central angle of $83^{\circ}09'$, ande having a chord that bears N $26^{\circ}25'00'$ E 120.78 fe t; thence N $43^{\circ}15'40''$ Ee 25.84fe t;ethence alongeae curve toethe righthavinge aradiuse which bears N $51^{\circ}09'$ E 200 fe t, through a central angle ofe $9^{\circ}45'$,e alongeane arc a distance ofe 243.47efe t;ethence Ne $51^{\circ}29'$ Ee $06\frac{1}{2}$ fe t; e thence S $80^{\circ}27\frac{1}{2}$ Ee 56.06fe t; thence N $53^{\circ}05'$ E 274.53fe t; e thence S $02^{\circ}49'04'$ W 574.47 fe t; thence S $15^{\circ}38'44''$ E 241.28 fe t; e thence S $84^{\circ}02'$ W 25 fe t; thence S $05^{\circ}48''$ E 40.4 fe t; thence N $85^{\circ}00'$ E 900 fe t more or less to a point three hundred yards beyond the low wateremarke ofe Sane Franciscoe Baye beingethe waterwardelimitse ofe the tide ande submergede lande acquirede bye the Unitede Statese ofe Americae ate Navale Statione Treasure Islande bye the Acte ofe Legislature of the State ofe California on March 9,e 897.e

EXCEPTINGe THEREFROMe those landse describede ine the Executive Order dated Novembere 18,e 850, for Yerba Buena Islande

(Goate Island) situatede uplande from the Ordinarye Highe Watere Marke of San Francisco Bay.e

(c) "Authority"e meanse the Treasure Islande Developmente Authority,e a nonprofit public benefite corporation establishede by the legislative body of the City and County of San Francisco.e

(d) The provisionse of these acteshall not apply to anye portione of eore intereste in the Property,e including anye portione of eore intereste in the Truste Property,e whether reale ore personal, et hat eis ownede by eore under the jurisdictione ore controle of the Californiae Departmente of Transportation.e

SEC.e 5. (a) Notwithstandinge Article 2e (commencing with the Sectione 07) Chapter 2 of Parte of Division 24 of the Health and Safete Code,e the legislative bodye of the Citye and Countye of Sane Franciscoe may,e by resolution,e designate the Authoritye ore anye successor entitie ore agencye of the Authoritye ase the redevelopment agencye with alle of the rightse,e powerse,e privilegese,e immunitie,e authoritie,e ande dutie se grantede to eae redevelopment agencye pursuante to Parte (commencing with the Sectione 000) ofe Divisione 24e ofe the Health and Safete Code,e fore the purpose ofe acquiring,e using,e operating,e maintaining,e convertinge,e ande redevelopinge the property.e Upone adoptione of that resolution,e the Authorityeshalle be considere d ae redevelopment agencye fore alle purpose se under estate law,e including,e bute note limitede to,e the purpose se ofe Sectione 21090e ofe the Public Resource Code.e

(b) Notwithstandinge anye state ore locale law,e including,e withoute limitation, Sectione of the Health and Safete Code, the Board of Directorse of the Authoritye maye include individualse whoe are officerse or employe se of the Citye ande Countye ofe Sane Franciscoe ore of the Sane Franciscoe Redevelopmente Agencye ande those individualse are note precluded,e solelye by virtue ofe theire statute se ase officerse or employe se of the Citye ande Countye ofe Sane Franciscoe ore the Sane Franciscoe Redevelopmente Agencye,e frome participatinge in decisione ase memberse of the Board of Directorse.e

(c) Notwithstandinge Sectione 090e ofe the Governmente Code ande Sectione C8.105e ofe Appendixe Ce ofe the Sane Franciscoe Charter,e officerse and employe se of the Citye ande Countye ofe Sane Franciscoe ore the Sane Franciscoe Redevelopmente Agencye are note precluded,e solelye by virtue ofe theire statute se ase memberse ofe the Boarde ofe Directorse,e frome participatinge in anye decisione in their capacities ase officerse or employe se of the Citye ande Countye ofe Sane Franciscoe ore the Sane Franciscoe Redevelopment Agencye.e

(d) Notwithstandinge anye othere provisione ofe law,e the Authority's employe se are subjecte to the same civile service provisionse ase the employe se of the City and County of San Francisco.e

(e) Notwithstandinge anye othere provisione ofe law,e the Authoritye shall follow the same competitive biddinge procedure se applicable toe redevelopment agencye se in California.e

(f) Prior to the Board of Supervisor's approval of a redevelopment plan for the property, any contract to which the Authority is a party worth more than one million dollars (\$1,000,000) or with a term of 10 or more years shall require the approval of the Board of Supervisors of the City and County of San Francisco.

SEC. . (a) Chapter of the Statutes of 1968 shall not apply to the property commonly known as Treasure Island, nor to those portions of the property commonly known as Yerba Buena Island consisting of former or existing tide and submerged lands. These properties are more particularly described as follows:

All of the land acquired from the City and County of San Francisco as described in the Judgment of the Declaration of Taking of Civil Action 22164-W filed in the District Court of the United States in and for the Northern District of California, Southern Division on April 1, 1942, and being more particularly described as follows:

BEGINNING at a monument established near the westerly end of Yerba Buena Island by the United States Coast and Geodetic Survey about 5 feet above high tide, known and designated by said survey as Station Goat, located at latitude $38^{\circ} 40.387'$ North, longitude $22^{\circ} 22' .657''$ West (values as determined by the United States Coast and Geodetic Survey as of the year 1930) and running thence N 28° W a distance of 8,000 feet, thence N 62° E a distance of 4,500 feet, thence S 28° E a distance of 8,000 feet, thence S 62° W a distance of 4,500 feet to the point of beginning; all bearings being referred to the true meridian through said Station Goat, excepting from said grant the portion of the land above particularly described, lying northerly of Yerba Buena Island and adjacent thereto, extending from high water mark to 900 feet beyond low water mark, the latter portions excepted being a part of the lands granted and ceded by the State of California to the United States of America by that certain Act of the Legislature of the State of California entitled "An Act relinquishing to the United States of America the title of this State to certain land", approved March 9, 1897.

ALONG WITH

All of the tide and submerged land at Treasure Island Naval Station acquired from the State of California by the United States of America by the Act of Legislature of the State of California on March 9, 1897.

EXCEPTING therefrom that portion of those lands granted by this act lying southeasterly of a line shown on the Department of the Navy, Naval Facilities Engineering Command Real Estate Summary Map Having NAVFAC DWG Nos. 296802 and 296803, and being the boundary between the Treasure Island Naval Station and the Land Owned by the United States Coast Guard, said line more particularly described as follows:

Commencing at a point that bears S $20^{\circ} 02'$ W 951 feet from a granite monument shown on the above described map as point number 02, thence S $03^{\circ} 50'$ W 910 feet more or less to a point 00e yard beyond the low-water mark and being the waterward limit of

the tide and submergede lande acquirede by the Unitede Statese ofe Americaebythe Acteofethe Legislature ofethe State ofe Californiae on March 9,e 897,said point being the TRUE POINT OF BEGINNINGE of the herein describe line;e thence alonge saide line the followinge courses: N 03° 50' E 910 fe t; thence Ne 9° 54' E 562.54 fe t; thence Se 80° e 5 " E 450.04 fe t; thence N 82° 04' 07ℓ E 81.46fe t to a curve to the left havinge a radius ofe 276.66ℓ, ethroughe a centrale angle ofe ° 05' 20", along an arc a distance of 294.98 fe t; thence Ne ° 49' 07ℓ We 01.83fe t; thence N 02° e 4 ' 8' E 21fe t; thence N 0° e ' " E 24.72e fe t; thence N 02° 42' 24" We 13.30 feet; thence N 89° 02' Ee 9.26e t;e thence along a curve to the left whose radius bears Se 57ℓ We 150 feet,e through a central angle of 26° 24', along an arc a distance of 234.99 feet;e thence along a curve whose radius bears S 45° e ' W 43fe t, through a central angle ofe ° e ', along an arc a distance of 50.70 fe t; thence alonge a curve to the left havinge a radius ofe 91efe t, ethroughe a centrale angle of 83° 09', and having a chord that bears N 26° 25' ' Ee 20.78e fe t; thence N 43° e 5 40" Ee 25.84fe t; thence along a curve to the right havinge a radius ewhiche bears Ne 51° e 9 Ee 200efe t, ethroughe a centrale angle ofe 9° 45', along an arc a distance of 243.47efe t; thence N 51° 29' Ee (fe t; thence S 80° 27ℓ 26ℓ Ee 56.06fe t; thence N 53° e ' 5' E 274.53 fe t; thence S 02° 49' 4' W 574.47 fe t; thence S 15° e 8 44" E 241.28 feet; thence S 84° e 2 W 25 feet; thence S 05° 48" E 40.4e fe t; thence N 85° 00' E 900 fe t more or less to a point three hundrede yardse beyonde the low water marke ofe Sane Franciscoe Baye beinge the waterwarde limite ofe the tide and submergede lande acquirede by the Unitede Statese ofe Americaebythe Acteofe Legislature ofethe State ofe California on March 9,e 897.e

EXCEPTINGE THEREFROME those landse describe in the Executive Ordere dated Novembere ,e 850, for Y rba Buena Islande (Goate Island)esituatede uplande frome the Ordinarye Highe Water Marke of San Francisco Bay.e

(b) All of the State of California's right, title,e and interest, acquirede by virtue ofe itse sovereignty,e in and to the Truste Property,e together with the alle improvements,e facilities,e rights,e privileges,e and appurtenances connectede therewith e ore in anye waye appertaininge thereto,e ise herebye grantede in truste to e ande vestede in the Authority,e subjecte to the termse ande conditionse specifyede in thise act.e The landse shall be held by the Authority and its successors in trust for the benefite of alle the people ofethe state forepurposes ofe commerce,e navigation,e and fisheries, and for other public trust purposes,e as more particularlye provided in this act.e

(c) There is reservede in the people ofethe State ofe Californiae the righte to hunt ande fish in ande over the waterse on the Truste Property,e together with the right of convenient access to the waters over the Trust Property for those purposes.e

(d) There is exceptede frome the grantemade in subdivisione (b)e ande reservede to the State ofe Californiae alle subsurface minérale deposits,e includinge oil ande gase deposits,e together with the righte ofe ingress ande

gress on the Truste Property for exploration, edrilling, eand extractione of esuchemineral, eoil, eand gase deposits. eThose mineral rights, eincludinge the right of ingress and egress, shall not be exercisedit in a manner that woulde disturbe ore otherwise interfere withe any lease, e franchise, e permit, e ore license of ore one the Truste Property; e provided, e however, e that any lease, e franchise, e permit, e ore license of propertye containe ae provisione specifyinge ate leaste one pointe from whiche and the mannere in which the right of ingress or egress to said subsurface deposits maye be exercisedit, ewhiche pointe ore pointse maye be outside the areae of the leasehold, e franchise, e permit, e ore license, e providede the pointe ore pointse are adequate to permit the rights reserved to the state to be exercisedit. e

(e) There is also exceptede from the grant made in subdivision (b) e any propertye ore intereste in property, ewhether reale ore personal, e ownede by ore under the jurisdictione ore controle of the Departmente of Transportation. e The Truste Propertye shall remaine subjecte to any requirementse of the Departmente of Transportatione fore future rights-of-way, easementse, e ore materiae fore the construction, e location, e realignment, expansion, e ore maintenance of bridges, e highways, e ore other transportatione facilitiесе withoute compensation, excepte ase follows: e

(1) Compensatione shall be made to the Authoritye fore any propertye taken that wase originallye acquirede by the Authoritye fore valuable consideration. e

(2) Ine the vente improvementse, e bettermentse, e ore structurese have be replacede upon the Truste Propertye by the Authoritye, e compensatione shall be made to the Authoritye fore the value of the improvementse, e bettermentse, or structurese taken. e

(3) Holders of a lease, franchise, permit, or license to use or occupye a portion of the Truste Propertye which has be n taken pursuant to thise sectione shall be givene the same compensatione that theye would ereceive under an eminent domain proceeding. e

(f) Ine the management, e conduct, e operation, e ande controle of the Truste Propertye ore anye improvementse, e bettermentse, e ore structurese thereon, e the Authoritye ore itse successorse shall make noe discriminatione ine rates, e tollse, e ore chargese fore anye use ore service ine connectione therewith. e

(g) The State of Californiae shall have the righte to use withoute charge anye transportation, e land, e ore storage improvementse, e wharves, e slips, e bettermentse, e ore structurese, e constructede upone the Truste Propertye, e fore anye vessele ore other watercraft, e aircraft, e ore railroade owned or operated by the State of California. e

SEC. e . The Authoritye shall have complete power to use, conduct, e operate, e maintain, e manage, e administer, e regulate, e improve, e lease, e ande controle the Truste Propertye ande to doe alle thingse necessarye ine connectione therewith which are ine conformance withe the termse of thise acte ande the public truste fore commerce, e navigatione ande fisheriесе

upon which the lands are held, including, without limitation, all of the following:e

(a) Acquiring, exchanging,e and conveyinge reale and personale propertye of every kind necessarye fore the fullere convenient exercise of itse powers,e consistente withe the publice truste ande subjecte toe the limitations of this act.e

(b) Constructing, erecting,e maintaining,e repairing,e operating,e developing,e ande regulatunge alle improvements,e utilities,e facilities, equipment,e piers,e parkinge areas,e stre ts,e highways,e bridges,e pedestrianeways,e landscapede areas,e publice buildings,e publice assembye ande me tinge places,e conventione centers,e parks,e museums,e playgrounds,e ande publice recreatione facilities,e including,e withoute limitation,e publice golfe courses,e marinas,e restaurants,e hotels,e commerciale recreatione facilities, entertainmente facilities,e ande attractions,e ande anye other works,e buildings,e facilities,e utilities,e structures,e ande appliancese incidentale toe ore necessarye ore conveniente fore the promotione ande accommodatione of the purposes,e of the publice trust and this act, or or about the Trust Property.e

(c) Promotinge the publice use ofe the Truste Propertye and encouraginge private investmente ine the developmente ofe the Truste Propertye fore the foregoinge uses ine the publice interest,e throughe advertisinge ore suche othere meanse ase maye be reasonable ande appropriate.e

(d) Providinge servicese reasonably necessarye toe the carryinge oute ofe the foregoinge use ande purposes.e Ase toe anye service whiche the Authoritye ise authorizede toe performe pursuante toe the provisione ofe this act,e the Authoritye maye contracte fore the performance ofe suches servicese bye the Citye ande Countye ofe Sane Franciscoe ore anye agenciee thereof,e includinge the Port Commission.e

SEC.e8. (a) The Authoritye shalle note ate anye time grant,e conveye, give,e ore alienate the Truste Propertye, ore anye parte thereof,e toe anye individual,e firm,e ore corporation, excepte thate the Authoritye maye grante franchises,e permits,e privileges,e licenses, easements,e ore leaseholde intereste (collectivelye referred toe ase "leases" hereinafter) there one fore limited periods, not to exce de years.e

(b) Any leases fore use of the Truste Propertye shalle be solely fore uses that are consistent with or ancillarye toe the purposes of the publice truste fore commerce, enavigatione ande fisheries, e providede thate leasee maye be grantede fore othere uses where the Authoritye makee the followinge determinations:e

(1) There ise noe immediate truste relatede ne de fore the propertye proposed to be leased.e

(2) The proposede lease ise ofe a duratione ofe noe more thane five yeare and can be terminated in favor of trust uses as they arise; excepte thate the xisting hangars, or portions thereof,e may be leased for upeto five yeare without a right of termination in favor of trust uses.e

(3) The proposede lease prohibitse the constructione ofe new structurese ore improvementse on the subjecte propertye thate could, easeae

practical matter, e prevent or inhibit the property from being converted to any permissible trust use should the property become necessary therefore. e

(4) The proposed use of the leased property would not interfere with the commerce, navigation, fisheries, or any other existing trust uses or purposes. e

SEC. e 9. (a) Notwithstanding any other provision of this act, existing buildings or structures on the Trust Property which are incapable of being devoted to trust purposes may be used for other purposes, consistent with the reuse plan for the Trust Property, for the remaining useful life of such buildings or structures. e Buildings and structures on the Trust Property that are incapable of being devoted to trust purposes are those constructed for non-trust purposes while the Trust Property was under federal ownership, including, but not limited to, the existing housing units, the bridge building proposed for use as a police academy, and the school. e

(b) The Authority and the State Land Commission shall, by agreement, establish the remaining useful life of the buildings and structures described in subdivision (a), either individually or by category, provided that in no case shall the useful life of any building or structure be deemed to extend less than 25 years or more than 40 years from the effective date of this act. e

(c) The maintenance and repair of any of the existing buildings or structures described in subdivision (a), and any structural or other alterations necessary to bring such buildings or structures into compliance with applicable federal, state, and local health and safety standards, including, but not limited to, seismic upgrading, shall be permitted, provided such activities will not enlarge the footprint or the size of the shell of such buildings or structures. e

SEC. e 10. (a) All money received or collected by the Authority from or arising out of the use or operation of the Trust Property, including all revenues derived from leases, permits, franchises, privileges, licenses, easements, and other rights to use or occupy the Trust Property, shall be deposited by the Authority into a special fund to be maintained by the Authority (the Treasure Island Trust Fund). e The money in or belonging to the Treasure Island Trust Fund may be used only for uses and purposes consistent with the public trust for navigation, commerce, and fisheries. e

(b) An annual statement of financial condition and operations shall be prepared by the Authority and submitted to the State Land Commission each year on or before October 1. e The statement shall include a statement of all revenues and expenditures related to trust lands and trust assets, including obligations incurred but not yet paid. e

SEC. e 11. (a) The Authority may exchange certain portions of the Trust Property with any state agency, political subdivision, person, entity, or corporation, or the United States or any agency thereof, for other lands, whenever the Authority determines and the State Land

Commissione adoptse ae resolutione declaringe ande findinge alle ofe the followinge:e

(1) The portionse ofe the Truste Propertye to ebe xchangede have be ne filled e ande reclaimed, e are cutede offe frome accesse to e the waterse ofe Sane Franciscoe Bay, e are noe longer e ne dede or e requirede fore the promotione ofe the publice truste fore commerce, e navigation, e ande fisheries, e ande constitute ae relativelye smalle portione ofe the landse originallye grantede to e the City and County of San Francisco under e the Burton Acte (Chapter e of the Statutes of e 1968), e

(2) The landse to ebe acquirede by e the Authoritye have ae value quale to or greater than the value of the lands for which they are to be xchangede ande are usefule fore the particulare truste purpose se authorizede by this act. e

(3) Noe substantial e interference withe truste use se ande purpose se will ensue by virtue of the xchange. e

(b) Upone adoptione ofe the resolutione by e the State Landse Commission, e the landse grantede by e the Authoritye shall e thereupone be fre frome the publice truste fore commerce, e navigation, e ande fisheries, e and the lands receivede in exchange shall be held subject to the publice trust and to the terms of this act. e

(c) Exchange se made pursuant to e this e section e are herebye founde to e be ofe statewide significanc e ande importanc, e and, e therefore, e anye ordinance, e charter e provision, e ore other e provisione ofe locale law inconsistent with this section shall not be applicabl e to the xchange. e

SEC. e 2. If e the Authoritye ise dissolved, e by e operatione ofe law ore otherwise, e the Truste Propertye, e together withe anye ande alle improvemente thereon, e ande the management, e conduct, e ande operatione ofe ande jurisdictione over e the Truste Propertye, e shall e revert e ande be conveyede to e ande veste in e the Citye ande Countye ofe Sane Francisco, e acting by and through its Porte Commission, subject to the public truste fore commerce, e navigation, e ande fisheries, e ande the requirementse ofe the Burton Acte (Chapter e of the Statutes of e 1968), and the remaindere ofe the propertye shall e be conveyede to e the Citye ande Countye ofe Sane Francisco. e

SEC. e . (a) The state reserves the righte to e amend, e modify, e ore revoke anye ande alle rightse to e the Truste Propertye grantede to e the Authority under this act. e

(b) Fore purpose ofe this section, e the terme "bondse" e includes, e without e limitation, e lease revenue bondse ande other e bonds, e lease financing arrangements, and certificates of participation. e

(c) Noe amendment, e modification, e ore revocation, e in e whole ore in e part, of the transfer of the Truste Propertye in trust provided fore in this act shall e impair e ore affect e the rightse ore obligationse ofe thirde parties, e including the holders of bonds or securities, lessees, lenders for value, e holderse ofe contracts, e conferring e the righte to e the use ore occupatione of, e ore the righte to e conduct e operatione se upone ore within, e the Truste Propertye, e arisinge from e leases, e contracts, e ore other e instrumentse lawfully enterede

into prior to the effective date of such amendment, modification, or revocation.

(d) In the event, after the effective date of any such amendment, modification, or revocation, there are in effect any such leases, contracts, or other instruments, the state may, at its option exercised by and through the State Lands Commission, succeed to the interest in any such instrument of the Authority; otherwise the interest of the Authority in any instrument then in effect shall continue during the term or other period of time during which the instrument shall remain in effect, and provided further that in any event all bond or securities issued by the Authority and payable out of revenues of the Trust Property shall continue to be so payable, directly or indirectly, and secured in all respects as provided in the proceeding before their issuance, and the revenues of the property shall be pledged and applied to the payment of such bond or securities in all respects as though no amendment, modification, or revocation had taken place.

SEC. 4. Section 2.1 is added to Chapter 2 of the Statutes of 1968, to read:

2.1. This act shall not apply to the property commonly known as Treasure Island, nor to those portions of the property commonly known as Yerba Buena Island consisting of former or existing tide and submerged lands and more particularly described in Section 2 of Assembly Bill No. 699 of the 1997-98 Regular Session.

SEC. 5. The Legislature finds and declares that, because of the unique circumstances applicable only to the lands within the City and County of San Francisco described in this act, relating to the closure of Naval Base Treasure Island, the statute of general applicability cannot be enacted within the meaning of subdivision (b) of Section 2 of Article IV of the California Constitution. Therefore, this special statute is necessary.