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[Settlement of Lawsuit]

Ordinance authorizing settlement of the lawsuit filed by San Francisco Pier 33 LLC against the City and County of San Francisco for \$225,000; the lawsuit was filed on July 9, 2007 in San Francisco County Superior Court, Case No. CGC 07-464954; entitled San Francisco Pier 33 LLC v. City and County of San Francisco, et al.; other material terms of said settlement are agreement to amend plaintiff's lease of San Francisco Port Commission property to expand permissible uses, allow for certain sign replacements, and provide right of first refusal to enter into five-year lease of the property beginning June 13, 2014.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "San Francisco Pier 33 LLC v. City and County of San Francisco, et al.", San Francisco County Superior Court, Case No. CGC 07-464954, by the payment of \$225,000 and agreement to amend plaintiff's lease of San Francisco Port Commission property to expand permissible uses, allow for certain sign replacements, and provide right of first refusal to enter into five-year lease of the property beginning June 13, 2014.


1 Section 2. The above-named action was filed in San Francisco County Superior Court
2 on July 9, 2007, and the following parties were named in the lawsuit: San Francisco Pier 33
3 LLC; and the City and County of San Francisco, by and through its Port Commission.
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5 APPROVED AS TO FORM AND
6 RECOMMENDED:

7 DENNIS J. HERRERA
8 City Attorney

9 
10 _____
11 JOANNE HOEPER
12 Chief Trial Deputy

13 FUNDS AVAILABLE:

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15 _____
16 BEN ROSENFELD
17 Controller
18 Index Code: 390407
19 Subobject: 05312
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RECOMMENDED:

SAN FRANCISCO PORT



MONIQUE MOYER
Executive Director

APPROVED:



SECRETARY
SAN FRANCISCO PORT COMMISSION



City and County of San Francisco

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

Tails Ordinance

File Number: 090394

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by San Francisco Pier 33 LLC against the City and County of San Francisco for \$225,000; the lawsuit was filed on July 9, 2007, in San Francisco County Superior Court, Case No. CGC 07-464954; entitled San Francisco Pier 33 LLC v. City and County of San Francisco, et al.; other material terms of said settlement are agreement to amend plaintiff's lease of San Francisco Port Commission property to expand permissible uses, allow for certain sign replacements, and provide right of first refusal to enter into five-year lease of the property beginning June 13, 2014.

May 19, 2009 Board of Supervisors — PASSED ON FIRST READING

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

June 2, 2009 Board of Supervisors — FINALLY PASSED

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

File No. 090394

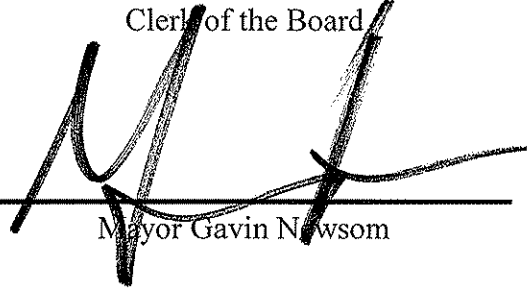
I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on June 2, 2009 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

6/5/2009

Date Approved



Mayor Gavin Newsom