

1 (Approval of Lease Modification)

2 APPROVING FOURTH AMENDMENT TO LEASE AGREEMENT WITH KIRA
3 MIKAZON AND THE CITY AND COUNTY OF SAN FRANCISCO OPERATING BY AND
4 THROUGH THE SAN FRANCISCO PORT COMMISSION FOR PIER 33 SOUTH, AT BAY
5 STREET AND THE EMBARCADERO, SAN FRANCISCO, CALIFORNIA

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

7 **Section 1**

8 The Board of Supervisors finds that:

9 A. City Charter Section B3.581 (g) authorizes the Port Commission to enter into
10 leases and franchises for the operation of property within the jurisdiction of the Port
11 Commission; and,
12

13 B. City Charter Section 7.402-1 authorizes the Board of Supervisors to review and
14 approve by ordinance, the leases or the modification, amendment or termination of any leases
15 of real property entered into by a department, board or commission for a period of time in
16 excess of ten (10) years or having anticipated revenue to the City and County of San Francisco
17 of one million dollars or more; and
18

19 C. On June 13, 1984, Pier 33, Inc., entered into a lease (Lease No. L-10446) with
20 the San Francisco Port Commission to lease 12,900 square feet of space on three floors of the
21 Pier 33 bulkhead building (Bay and the Embarcadero) until June 12, 2014 for general office,
22 retail and restaurant use; and
23

24 D. On April 18, 2000, the San Francisco Port Commission approved Resolution
25 No. 00-31, the assignment of Lease No. L-10446 whereby Pier 33, Incorporated, a California

SAN FRANCISCO PORT COMMISSION

07/31/00

1 corporation, successor in interest to Embarcadero Enterprises, Incorporated, a California
2 corporation, Tenant under Port Lease No. L-10446, assigned the right and title of its leasehold
3 under said Port Lease No. L-10446 to Kira Mikazon, an individual; and,

4 E. Kira Mikazon, the tenant under Port Lease No. L-10446, requested certain
5 modifications to Port Lease No. L-10446 to the benefit of future lenders; and,

6 F. Kira Mikazon has agreed to certain financial and material modifications to the
7 lease in return for the Port's agreement to such lender friendly modifications; and,

8 G. On July 11, 2000, by Resolution No.00-44, the Port Commission authorized and
9 directed the Executive Director of the Port, after approval by the Board of Supervisors, to
10 execute the Fourth Amendment to the Lease to Kira Mikazon, for Pier 33 South located at The
11 Embarcadero and Bay Street, San Francisco, California, in accordance with the terms set forth
12 in the Memorandum to the Commission.

13 **Section 2**

14 NOW THEREFORE BE IT ORDAINED, That the Board of Supervisors hereby
15 approves the Fourth Amendment to the lease for real property at Pier 33, South; and be it

16 FURTHER ORDAINED, That the Board of Supervisors authorizes the Executive
17 Director of the Port to execute the Fourth Amendment to Lease No. L-10446, with Kira
18 Mikazon, an individual, a copy of which is on file with the Clerk of the Board, on behalf of the
19 City, by and through its Port Commission, in substantially the form attached hereto.

20 APPROVED AS TO FORM

21 LOUISE H. RENNE
22 City Attorney

23 By: 
24 NEIL SEKHRI, Deputy City Attorney

25 SAN FRANCISCO PORT COMMISSION

07/31/00



City and County of San Francisco

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

Tails

Ordinance

File Number: 001417

Date Passed:

Ordinance approving fourth amendment to lease agreement with Kira Mikazon and the City and County of San Francisco operating by and through the San Francisco Port Commission for Pier 33 South, at Bay Street and the Embarcadero, San Francisco, California.

August 28, 2000 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Bierman

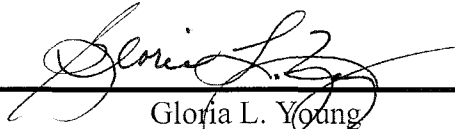
September 18, 2000 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,
Yaki, Yee

Absent: 1 - Katz

File No. 001417

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on September 18,
2000 by the Board of Supervisors of the City
and County of San Francisco.



Gloria L. Young
Clerk of the Board

SEP 26 2000

Date Approved



Mayor Willie L. Brown Jr.