

1 [Extension of Exclusive Negotiations between the Port of San Francisco and the Malrite
2 Company.]

3 **Resolution opposing the decision by the Port of San Francisco to extend Exclusive**
4 **Negotiations with the Malrite Company regarding Pier 45 for an additional ninety (90)**
5 **days until April 15, 2001.**
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7 WHEREAS, The Port Commission issued a Request for Proposals for lease of Pier 45
8 which solicited development proposals for a public attraction that is "compatible with the
9 fishing industry" and includes a "significant maritime component" among other criteria; and

10 WHEREAS, this Request for Proposals had two bidders: the Malrite Company's San
11 Francisco at the Wharf, an entertainment complex; and the Bay Conservation Center, an
12 educational center focused on Bay conservation and ecology; and

13 WHEREAS, Approval was granted by the Port Commission to the Malrite Corporation
14 to enter into a Term of Exclusive Right to Negotiate with the Port of San Francisco for a four
15 month period from August 15, 2000 to December 15, 2000 during which time the parties were
16 to negotiate an agreement regarding the terms for Malrite's development regarding the
17 development of San Francisco at the Wharf at Pier 45; and,

18 WHEREAS, Public opposition to the Malrite Company's proposal and support for the
19 Bay Center concept materialized in the passage of Proposition R in November 2000 by over
20 72% of San Francisco voters, which made it City policy to use Pier 45 as public educational
21 facility, run by a non-profit group, that focuses on the San Francisco Bay; and

22 WHEREAS, despite demonstrated opposition to the Malrite Company's proposal and
23 support for the Bay Center concept, the Port's Executive Director has authorized the
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1 extension of the Original Term of the Exclusive Right to Negotiate agreement for an additional
2 ninety (90) days until April 15, 2001; now, therefore, be it

3 RESOLVED, That the Board of Supervisors opposes the decision by the Port of San
4 Francisco and the Port Commission to extend exclusive negotiations with the Malrite
5 Company an additional ninety days and strongly urges the Port to cease negotiations with
6 Malrite Company on April 15, 2001, the date to which currently contracted Exclusive
7 Negotiations extend.

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City and County of San Francisco

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

Tails
Resolution

File Number: 010125

Date Passed:

Resolution opposing the decision by the Port of San Francisco to extend exclusive negotiations with the Malrite Company regarding Pier 45 for an additional ninety (90) days until April 15, 2001.

January 29, 2001 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin

Absent: 2 - Sandoval, Yee

File No. 010125

I hereby certify that the foregoing Resolution was ADOPTED on January 29, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

February 9, 2001

I hereby certify that the foregoing Resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Gloria L. Young
Clerk of the Board

File No.
010125