

1 [Approval of Lease Agreement]
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4 **Resolution approving a lease agreement with Breda Transportation, Inc. and the City**
5 **and County of San Francisco operating by and through the San Francisco Port**
6 **Commission for shed space, loading dock space and office space at Pier 80, San**
7 **Francisco, California.**
8

9 WHEREAS, Section 3.581(g) of the Charter of the City and County of San Francisco
10 authorizes the Port Commission to enter into leases and franchises for the operation of
11 property within the jurisdiction of the Port Commission; and

12 WHEREAS, under the City Charter, leases granted or made by the Port Commission
13 shall be administered exclusively by the operating forces of the Port Commission; and

14 WHEREAS, Breda Transportation, Inc. is a current tenant of the Port Commission in
15 good standing at Shed D, Pier 80, pursuant to a lease approved by the Port Commission on
16 July 9, 1996 (Resolution No. 96-66); and

17 WHEREAS, Port staff and Breda Transportation, Inc., have negotiated the terms of a
18 new lease for Shed D, Pier 80 (Lease No. L-13220 or the "Lease") on terms and conditions as
19 outlined in the Memorandum to the Port Commission for Agenda Item 4B of the Port
20 Commission meeting on January 8, 2002, a copy of which lease was available for public
21 inspection with the Port Commission Secretary; and,

22 WHEREAS, The Lease is for a term of sixteen (16) months with an eighteen (18)
23 month option; and,

24 WHEREAS, The total rent for the Lease term exceeds one million dollars
25 (\$1,000,000.00); and

1 WHEREAS, Section 9.118 of the Charter of the City and County of San Francisco
2 requires that leases of ten (10) years or longer in length and/or having anticipated revenues to
3 the City of one million dollars (\$1,000,000.00) or more are subject to the approval of the Board
4 of Supervisors of the City and County of San Francisco; and


5 WHEREAS, on January 8, 2002, by Resolution No. 02-02, the Port Commission
6 authorized and directed the Executive Director of the Port, after approval by the Board of
7 Supervisors, to execute the Lease to Breda Transportation, Inc., for shed, loading dock and
8 office space located at Shed D, Pier 80, San Francisco, California, in accordance with terms
9 set forth in the Memorandum to the Commission; and

10 WHEREAS, A copy of the Memorandum, Resolution No. 02-02, and the Lease are on
11 file with the Clerk of the Board of Supervisors in File No. 020244 , which is hereby declared to
12 be a part of this Resolution as if set forth fully herein; now, therefore, be it

13 RESOLVED, That the Board of Supervisors authorizes the Executive Director of the
14 Port to execute Lease No. L-13220 with Breda Transportation, Inc., a Delaware Corporation,
15 on behalf of the City, by and through its Port Commission, in substantially the form of such
16 agreement presented to this Board of Supervisors, and to make such non-material
17 amendments thereto in consultation with the City Attorney that would not significantly increase
18 the liability of the City or the Port.

19
20 APPROVED AS TO FORM

21 DENNIS J. HERRERA
22 City Attorney

23 
24 _____
25 LISA A. CLAY, Deputy City Attorney



City and County of San Francisco

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

Tails
Resolution

File Number: 020244

Date Passed:

Resolution approving a lease agreement with Breda Transportation, Inc. and the City and County of San Francisco operating by and through the San Francisco Port Commission for shed space, loading dock space and office space at Pier 80, San Francisco, California.

March 18, 2002 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

File No. 020244

I hereby certify that the foregoing Resolution was ADOPTED on March 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

MAR 29 2002

Date Approved

Mayor Willie L. Brown Jr.