

## **RESOLUTION NO. 60-2006**

*Adopted May 2, 2006*

### **AUTHORIZING A SECOND AMENDMENT TO THE SUBLEASE AGREEMENT WITH CARMEN AND BENITO SOLIS, DOING BUSINESS AS CARMEN'S RESTAURANT, ON A PORTION OF THE BULKHEAD BUILDING AND PROPERTY LOCATED AT PIER 38/40; RINCON POINT-SOUTH BEACH REDEVELOPMENT PROJECT AREA**

#### **BASIS FOR RESOLUTION**

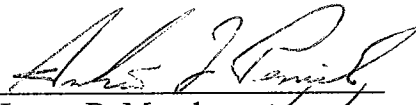
1. On September 17, 2002, by Resolution No. 160-2002, the Redevelopment Agency of the City and County of San Francisco's (the "Agency") Commission approved an interim Sublease Agreement with Carmen and Benito Solis (the "Subtenants") to operate Carmen's Restaurant on a portion of the Bulkhead Building and property located at Piers 38/40 (the "Site") in the Rincon Point-South Beach Redevelopment Project Area.
2. The Agency offered the Subtenants the interim Sublease Agreement so that they could temporarily relocate their restaurant facility from 998 Fourth Street on Wharf 62, a small pier adjacent to the Fourth Street Bridge.
3. The interim Sublease Agreement allowed the Subtenants to continue to operate Carmen's Restaurant at the Site while the City and County of San Francisco's Department of Public Works constructed the Fourth Street Bridge and the Third Street light rail project.
4. Due to construction delays on the Fourth Street Bridge and Third Street light rail project, the Sublease Agreement was extended for one, two-year term expiring May 31, 2006.
5. The Solises are unable to return to the former restaurant space located at Wharf 62 due to the amount of capital investment necessary to bring the premises into compliance with the appropriate building codes.
6. The parties desire to amend the Sublease Agreement upon the terms provided in the Second Amendment to the Sublease Agreement.

#### **RESOLUTION**

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is hereby authorized to enter into and execute a Second Amendment to provide for a three-year extension of the

Sublease Agreement, with Carmen and Benito Solis, doing business as Carmen's Restaurant, at the southerly portion of the Pier 38 Bulkhead Building and a portion of the Pier 40 Shed located along the Embarcadero, substantially in the form lodged with the Agency General Counsel.

**APPROVED AS TO FORM:**

  
Sgt. James B. Morales 4/27/06  
Agency General Counsel