

1 [Real Property Lease - Celestina and Alan Salvador Jimenez, Co-Trustees - 100 Blanken
2 Avenue - Monthly Base Rent of \$7,800]

3 **Resolution authorizing the lease of approximately 3,000 square feet at 100 Blanken**
4 **Avenue with Celestina and Alan Salvador Jimenez, Co-Trustees of the Trust of**
5 **Salvador Jimenez and Celestina Jimenez-Surviving Spouses Trust, for a portion of the**
6 **ground floor, for a five-year term commencing upon approval by the Board of**
7 **Supervisors and Mayor, in their sole and respective discretion, through January 31,**
8 **2020, with one five-year option to extend, at the monthly base rent of \$7,800 for the**
9 **remainder of FY2014-2015 of \$39,000.**

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11 WHEREAS, The Department of Public Health (the “DPH”) currently operates its
12 Southeast Child Family Therapy Center at 100 Blanken Avenue providing valuable services to
13 the community since 2002; and

14 WHEREAS, The Real Estate Division on behalf of the DPH has negotiated a new lease
15 to continue the DPH services at the site comprising approximately 3,000 square feet in
16 substantially the form on file with the Clerk of the Board of Supervisors in File No. 150176,
17 which is hereby declared to be a part of this resolution as if set forth fully herein; and

18 WHEREAS, The term of the lease shall be for five (5) years commencing upon
19 approval of the lease; and

20 WHEREAS, The City shall have one additional five (5) year option term to extend the
21 lease at 95% of the then prevailing fair market rent, subject to the enactment of a resolution
22 by the Board of Supervisors and the Mayor, in their respective sole and absolute discretion,
23 approving and authorizing the same; and

24 WHEREAS, The base monthly rent of \$7,800 is subject to annual CPI adjustments of
25 no less than three (3%) percent and no more than five (5%) percent; and

1 WHEREAS, The DPH shall be responsible for utilities and janitorial services; now,
2 therefore, be it

3 RESOLVED, That in accordance with the recommendation of the Director of the
4 Department of Public Health and the Director of Property, the Director of Property is hereby
5 authorized to take all actions, on behalf of the City and County of San Francisco, as Tenant,
6 to enter into the lease for a portion of the ground floor at 100 Blanken Ave., San Francisco,
7 California, comprising approximately 3,000 square feet on file with the Clerk of the Board of
8 Supervisors in File No. 150176, which is hereby declared to be a part of this resolution as if
9 set forth fully herein; and, be it

10 FURTHER RESOLVED, The monthly base rent for the initial five year term shall be
11 \$7,800 (\$2.60 per square foot), net of utilities and janitorial services, subject to annual CPI
12 adjustments of no less than three (3%) percent and no more than five (5%) percent; and, be it

13 FURTHER RESOLVED, The City shall have one additional option term of five years at
14 95% of the then prevailing fair market rent subject to the enactment of a resolution by the
15 Board of Supervisors and the Mayor, in their respective sole and absolute discretion,
16 approving and authorizing the same; and, be it

17 FURTHER RESOLVED, The City agrees to indemnify, defend, and hold harmless
18 Landlord and its agents from and against any and all claims, costs, and expenses, including
19 without limitation, reasonable attorney fees, incurred as a result of (a) City's use of the
20 Premises, (b) any default by the City in the performance of any of its obligations under the
21 lease, or (c) any acts or omissions of City or its agents, in, on or about the Premises or the
22 property on which the Premises are located, provided however City shall not be obligated to
23 indemnify Landlord or its agents to the extent any claim, cost and expense arises out of
24 active gross negligence or willful misconduct of Landlord or its agents; and be it

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1 FURTHER RESOLVED, That any action heretofore taken by any City employee or
2 official with respect to the exercise of the lease as set forth herein is hereby approved,
3 confirmed and ratified; and, be it

4 FURTHER RESOLVED, The Board of Supervisors approves the lease in substantially
5 the form in the Board's File and authorizes the Director of Property to take all actions, on
6 behalf of City, to enter into any amendments or modifications (including without limitation, the
7 exhibits) to the lease on the terms and conditions herein and form approved by the City
8 Attorney that the Director of Property determines, in consultation with the City Attorney, are in
9 the best interest of the City, do not increase the rent or otherwise materially increase the
10 obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of
11 the lease and are in compliance with all applicable laws, including City's Charter; and, be it

12 FURTHER RESOLVED, The City shall occupy the entire Premises for the full term of
13 the lease unless funds for the City's rental payments are not appropriated in any subsequent
14 fiscal year at which time City may terminate the lease with reasonable advance written notice
15 to Landlord. Such termination shall then be effective upon surrender of the Premises. Said
16 lease shall be subject to certification of funds by the Controller pursuant to Section 3.105 of
17 the Charter of the City and County of San Francisco; and, be it

18 FURTHER RESOLVED, That within thirty (30) days of the lease agreement being fully
19 executed by all parties the Director of Property shall provide a copy of the lease agreement to
20 the Clerk of the Board to include into the official file.

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1 RECOMMENDED:

2 \$39,000 Available for Fiscal Year 2014-2015
3 Index Code No. HMHMCB731943, encumbered under PO#DPHM15000055-01

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Controller

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7 RECOMMENDED:

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Barbara Garcia, Director
Department of Public Health

11 RECOMMENDED:

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John Updike
Director of Property
Real Estate Division

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