

1 [Lease of Real Property]

2 **AUTHORIZING A LEASE OF REAL PROPERTY AT 1760 OCEAN AVENUE, SAN**
3 **FRANCISCO, FOR OMI FAMILY CENTER OF THE MENTAL HEALTH DIVISION OF**
4 **THE DEPARTMENT OF PUBLIC HEALTH.**

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6
7 **RESOLVED**, In accordance with the recommendation of the Health Commission, The
8 Director of the Department of Public Health, and the Director of Property that the Mayor and the
9 Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, as Tenant, be
10 and they are hereby authorized to execute a lease with Yee Keung Siu, Mee Jing Siu and Burton Siu,
11 as Landlord, for the one story office building at 1760 Ocean Avenue, San Francisco, comprising a net
12 rentable area of approximately 8,500 square feet, for the Mental Health Division of the Department of
13 Public Health; and be it

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15 **FURTHER RESOLVED**, The lease shall commence on the date that Landlord satisfactorily
16 completes the required leasehold improvements or City's Mayor and Board of Supervisors approve
17 the lease, whichever occurs later, and shall end February 28, 2004. City shall have an option to
18 extend the term for two additional periods of five (5) years each at ninety-five percent (95%) of the
19 fair market rental.

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21 It is understood that City shall occupy said premises for the entire lease term expiring
22 February 28, 2014, if both options to extend the term are exercised, unless funds for rental payment
23 are not appropriated in any subsequent fiscal year, at which time City may terminate this lease with
24 advance notice to Landlord; and be it

25
(REAL ESTATE)

1 **FURTHER RESOLVED**, The base rent shall be \$13,000.00 per month, with Landlord
2 paying for all services to the building except for separately metered electric service provided by
3 Landlord. The base rent of \$13,000 shall remain unchanged through the entire five years of the initial
4 term. After the initial year of the term, City shall pay certain increases in operating expenses of the
5 subject building over those of the base year.

6 Landlord shall agree to complete, at its sole cost and expense, certain alterations duly and
7 properly required in writing, and City shall reimburse to Landlord together with the initial payment of
8 rent, the amount of \$25,000 for specialized Tenant Improvements; and be it

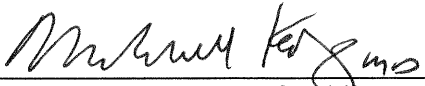
9 **FURTHER RESOLVED**, City shall indemnify, defend and hold harmless (“Indemnify”)
10 Landlord and its Agents from and against any and all claims, costs and expenses, including, without
11 limitation, reasonable attorney’s fees, (collectively, “Claims”), incurred as a result of (a) City’s use of
12 the Premises, (b) any default by City in the performance of any of its obligations under this Lease, or
13 (c) any negligent acts or omissions of City or its Agents, in, on or about the Premises or the Property;
14 provided, however, City shall not be obligated to Indemnify Landlord or its Agents to the extent any
15 Claim arises out of the active negligence or willful misconduct of Landlord or its Agents. In any
16 action or proceeding brought against Landlord or its Agents by reason of any Claim Indemnified by
17 City hereunder, City may, at its sole option, elect to defend such Claim by attorneys in City’s Office
18 of the City Attorney, by other attorneys selected by City, or both. City shall have the right to control
19 the defense and to determine the settlement or compromise of any action or proceeding, provided that
20 Landlord shall have the right, but not the obligation, to participate in the defense of any such Claim at
21 its sole cost. City’s obligations under this Section shall survive the termination of the Lease.
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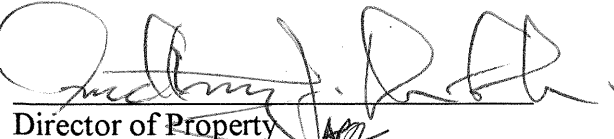
(REAL ESTATE)

1 Said Lease shall be subject to certification of funds by the Controller pursuant to Section
2 6.302 of the Charter.


3 The City Attorney shall approve the form of the Lease and any related documents.
4

5 **RECOMMENDED:**

6
7 
8 _____
9 Director, Department of Public Health

10 
11 _____
12 Director of Property

13 \$90,000 Available
14 Index No. HMHMCC730515
15 Subobject 02789Medical Services

16 
17 _____
18 Controller

19
20
21
22
23
24
25 **(REAL ESTATE)**



City and County of San Francisco

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

Tails

Resolution

File Number: 981953

Date Passed:

Resolution authorizing a lease of real property at 1760 Ocean Avenue, San Francisco, for OMI Family Center of the Mental Health Division of the Department of Public Health.

December 14, 1998 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee

File No. 981953

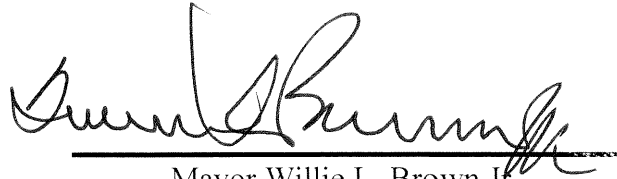
I hereby certify that the foregoing Resolution was ADOPTED on December 14, 1998 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

DEC 18 1998

Date Approved



Mayor Willie L. Brown Jr.

File No. 981953 continued...