

1 [Lease of Real Property]

2

3 **Resolution authorizing the lease of 3,900 sq. ft. at 1449 Webster Street for employment**  
4 **assistance programs.**

5

6 WHEREAS, many Western Addition residents face a number of barriers to employment  
7 such as lack of occupational and job readiness skills, a lack of basic education and numeric  
8 skills, substance abuse, and prior incarceration among other barriers.

9 WHEREAS, the Mayor's Office of Economic and Workforce Development (MOEWD)  
10 has contracted with Rubicon Programs Incorporated and Westside Community Services to  
11 design and operate a comprehensive Neighborhood Workforce Center in the Western  
12 Addition,

13 WHEREAS, the comprehensive Neighborhood Workforce Center will greatly increase  
14 access to the tools necessary for residents to find good employment such as job search  
15 services, job readiness skills training, resume and interview coaching, job training and  
16 education services, access to public training funding, and coordination with supportive  
17 services such as childcare and transportation assistance.

18 WHEREAS, the Neighborhood Workforce Center will further work with employers  
19 throughout San Francisco to meet their staffing needs while increasing access to new jobs for  
20 Western Addition residents.

21 WHEREAS, Rubicon Programs Incorporated and Westside Community Services plans  
22 to begin to offer services as soon as a site can be established.

23 WHEREAS, funds for the One Stop employment program were appropriated in fiscal  
24 2007-2008 for this program

25

1 BE IT RESOLVED, That the Director of Property is hereby authorized to take all  
2 actions, on behalf of the City and County of San Francisco, as tenant, to execute a written  
3 lease and other related documents with WCPI Commercial, LLC, ("Landlord"), for the retail  
4 area commonly known as 1449 Webster Street, San Francisco, California, which comprises  
5 an area of approximately 3,900 square feet on the terms and conditions herein and on a form  
6 approved by the City Attorney; and, be it

7 FURTHER RESOLVED, That the lease shall commence upon substantial completion  
8 of tenant improvements (expected to be about September 1, 2008) and terminate August 31,  
9 2011 (approximately 3 years), however, City shall have the unilateral right of early termination  
10 anytime after August 31, 2010 (approximately 2 years), with 180 day advance notice. The  
11 monthly rent shall be \$8,000.00. Beginning September 1, 2010, and each September 1,  
12 thereafter the monthly Base Rent shall be increased by the proportional increase in the  
13 Consumer Price Index. However, in no event shall such increase in Base Rent be more than  
14 5% nor less than 2% of the previous Base Rent. The City shall pay for the construction of a  
15 portion of the tenant improvements (not to exceed \$200,000). The City shall also pay for  
16 utilities, janitorial and other typical tenant costs including data, telecommunications and  
17 moving expenses; and, be it

18 FURTHER RESOLVED, That the lease shall include a clause approved by the City  
19 Attorney, indemnifying and holding harmless the Landlord, from and agreeing to defend the  
20 Landlord against any and all claims, costs and expenses, including, without limitation,  
21 reasonable attorney's fees, incurred as a result of City's use of the premises, any default by  
22 the City in the performance of any of its obligations under the lease, or any acts or omissions  
23 of City or its agents, in, on or about the premises or the property on which the premises are  
24 located, excluding those claims, costs and expenses incurred as a result of the active gross  
25 negligence or willful misconduct of Landlord or its agents; and, be it

1 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City  
2 with respect to such lease are hereby approved, confirmed and ratified; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
4 Property to enter into any amendments or modifications to the Lease (including without  
5 limitation, the exhibits) that the Director of Property determines, in consultation with the City  
6 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially  
7 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the  
8 purposes of the Lease or this resolution, and are in compliance with all applicable laws,  
9 including City's Charter; and, be it

10 FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term  
11 of the lease unless funds for rental payments are not appropriated in any subsequent fiscal  
12 year at which time City may terminate the lease with ninety (90) days advance written notice  
13 to Landlord. Said Lease shall be subject to certification as to funds by the Controller,  
14 pursuant to Section 3.105 of the Charter.

15 Available: \$280,000  
16 Appropriation No.  
17 Index Code 210043  
18 Project PBE008  
19 Subobject 02700

20 \_\_\_\_\_  
21 Controller

22 RECOMMENDED:

23 \_\_\_\_\_  
24 Director  
25 Real Estate Division

26 \_\_\_\_\_  
27 Director  
28 Workforce Development, Office of Economic and Workforce Development