

1 [Lease of Real Property - 1421 Broderick Street]

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3 **Resolution authorizing the exercise of a ten year option to extend the lease of the**
4 **12,417 square foot building located at 1421 Broderick Street for the Department of**
5 **Public Health.**

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7 WHEREAS, The City and Seto Associates, fka the Seto Family Trust, executed the
8 ten year Master Lease dated 2/1/2001, authorized by Resolution 83-01 for the Premises at
9 1421 Broderick Street comprising 12,417 square feet commonly known as 1421 Broderick
10 Street in San Francisco; and

11 WHEREAS, The Premises contain a 33 bed, licensed residential care facility
12 receiving most of its referrals from the San Francisco General and Laguna Honda
13 Hospitals. All residents require the level of treatment care from a licensed Adult Residential
14 Facility setting, but not a Skilled Nursing Facility level setting; and

15 WHEREAS, Such Lease is due to expire on February 15, 2011, and contains an
16 option to extend the term for ten years on the same terms and conditions except that the
17 Base Monthly Rental is to be adjusted to \$12,914.27, being the fair market rental for the
18 premises; and

19 WHEREAS, Such terms for the option are subject to enactment of a resolution by
20 the Board of Supervisors and Mayor, in their respective sole and absolute discretion,
21 approving and authorizing such exercise; now, therefore, be it

22 RESOLVED, That in accordance with the recommendation of the Director of Health
23 and the Director of Property, the Director of Property is hereby authorized to take all actions
24 in behalf of the City and County of San Francisco, as Lessee, to extend the Master Lease
25 for the building commonly known as 1421 Broderick Street, a copy of which is included in

1 Board of Supervisors File No. _____ on the terms and conditions set forth, and on a form
2 approved by the City Attorney; and be it

3 FURTHER RESOLVED, That the Master Lease extension shall be for a term of ten
4 years at a base monthly rental of \$12,914.27, or \$1.04 per square foot in addition to utility
5 and janitorial services; and be it

6 FURTHER RESOLVED, That the Master Lease shall continue to include the clause
7 indemnifying, holding harmless, and defending Lessor and its agents from and against any
8 and all claims, costs and expenses, including without limitation, reasonable attorney fees
9 incurred as a result of any default by the City in the performance of any of its material
10 obligations under the Master Lease, or any negligent acts or omissions of the City, or its
11 agents, in, on or about the Premises or the property on which the Premises are located,
12 including those claims, costs and expenses incurred as a result of the negligence or willful
13 misconduct of the Lessor or its agents; and be it

14 FURTHER RESOLVED, That any action taken by the Director of Property and
15 other relevant officers of the City with respect to the exercise of the option under the Master
16 Lease as set forth herein is hereby ratified and affirmed; and be it

17 FURTHER RESOLVED, That the Director of Property be authorized to enter into any
18 additions, amendments or other modifications to the Master Lease agreement (including
19 without limitation, the exhibits) that the Director of Property determines, in consultation with
20 the Director of the Department of Public Health and the City Attorney, are in the best
21 interests of the City, do not materially increase the obligations or liabilities of the City, and
22 are necessary or advisable to complete the transaction contemplated in the Master Lease
23 and effectuate the purpose and intent of this resolution, such determination to be
24 conclusively evidenced by the execution and delivery by the Director of Property of any
25 amendments thereto; and be it

1 FURTHER RESOLVED, That said Master Lease shall be subject to certification of
2 funds by the Controller pursuant to Section 6.302 of the Charter.

3 RECOMMENDED:

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5 _____
6 Barbara Garcia, Director
7 Department of Public Health

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9 _____
10 John Updike
11 Acting Director of Property

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13 \$58,114.22 Available
14 Appropriation No. HCHSHHOUSGGF

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16 _____
17 Controller

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