

1 [Real Property Lease Extension - Huey Lan F. 2004 Trust - 1701 Ocean Avenue -  
2 \$215,400 Annual Base Rent]

3 **Resolution authorizing the Director of Property to exercise a Lease Extension for the**  
4 **real property located at 1701 Ocean Avenue with Huey Lan F. 2004 Trust for a five-**  
5 **year extension term to commencing upon approval by the Board of Supervisors and**  
6 **the Mayor, at the monthly base rent of \$17,950 for a total annual base rent of**  
7 **\$215,400.**

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9 WHEREAS, The City, on behalf of the Department of Public Health entered into a  
10 lease with Huey Lan F. 2004 Trust, as Landlord, for the Premises comprising approximately  
11 5,000 square feet located at 1701 Ocean Avenue with an initial term commencing March 1,  
12 2007; and

13 WHEREAS, The lease includes two additional five-year extension periods subject to  
14 enactment of a resolution by the Board of Supervisors and Mayor; and

15 WHEREAS, The Real Estate Division on behalf of the Department of Public Health,  
16 negotiated the full service fair market monthly rent of \$17,950 or \$3.59 per square foot per  
17 month, for the Premises for the first five-year extension term with no other change to the  
18 existing terms of the lease; now, therefore, be it

19 RESOLVED, That in accordance with the recommendation of the Director of the  
20 Department of Public Health and the Director of Property, the Director of Property is hereby  
21 authorized to take all actions on behalf of the City and County of San Francisco, as Tenant,  
22 to exercise the first five-year extension term commencing upon approval by the Board of  
23 Supervisors and Mayor in their sole discretion based on the terms and conditions herein,  
24 and, be it

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1           FURTHER RESOLVED, That commencing upon approval of the lease extension  
2 period, the full service monthly rent for the five-year extension term shall be \$17,950  
3 (\$3.59/s.f.); and, be it

4           FURTHER RESOLVED, That City agrees to indemnify, defend and hold harmless  
5 Landlord and its agents from and against any and all claims, costs and expenses,  
6 including, without limitation, reasonable attorneys' fees, incurred as a result of (a) City's use  
7 of the premises, (b) any default by City in the performance of any of its obligations under  
8 this lease, or (c) any negligent acts or omissions of City or its agents, in, on or about the  
9 Premises or the property; provided, however, City shall not be obligated to indemnify  
10 Landlord or its agents to the extent any claim arises out of the active negligence or willful  
11 misconduct of Landlord or its agents; and, be it

12           FURTHER RESOLVED, That any action taken by any City employee or official with  
13 respect to the exercise of the extension provision contained in the lease is hereby ratified  
14 and affirmed; and be it

15           FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
16 Property to enter into any amendments or modifications to the lease (including without  
17 limitation, the exhibits) that the Director of Property determines, in consultation with the City  
18 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially  
19 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the  
20 purposes of the lease or this resolution, and are in compliance with all applicable laws,  
21 including City's Charter; and, be it

22           FURTHER RESOLVED, That City shall occupy said Building for the five-year  
23 extension term expiring on February 28, 2022, unless funds for rental payments are not  
24 appropriated in any subsequent fiscal year, at which time City may terminate this lease with  
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1 written notice to Landlord, pursuant to Section 3.105 of the Charter of the City and County  
2 of San Francisco.

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\$71,800 Available  
Index No. HMHMCC730515

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Controller

7 RECOMMENDED:

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John Updike,  
Director of Property

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Barbara Garcia, Director  
Department of Public Health

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