

1 [Real Property Lease.]
2

3 **Resolution approving, retroactively, a Lease at Bayview Plaza, 3801 Third Street, at**
4 **Evans Street, for the Human Services Agency under Administrative Code Section**
5 **23.27.**
6

7 WHEREAS, The City's Human Services Agency has occupied the 6,122 square foot
8 premises at 3801 Third Street, Suite 200 (the "Premises") since December 2000, and
9 currently operates its Family and Children's Services program at the site; and,

10 WHEREAS, The City's Real Estate Division, at the request of the Human Services
11 Agency, negotiated a new lease for the Premises commencing on September 1, 2009 and
12 continuing thereafter on a year-to-year basis but not beyond August 31, 2014 (the "Lease"), a
13 copy of which is on file with the Clerk of the Board in File No. 091267; and,

14 WHEREAS, The City shall have the right to terminate the Lease at any time by
15 providing not less than ninety (90) days notice of termination to Landlord; and

16 WHEREAS, The fully serviced, monthly fair market rent payable by City under the
17 Lease for the first year is \$15,060.12 (\$2.46 per sq.ft.); and,

18 WHEREAS, The Lease requires the approval of the Board of Supervisors under
19 Administrative Code Section 23.27; now, therefore, be it

20 RESOLVED, That the Board of Supervisors approves, retroactively, the Lease and
21 authorizes the Director of Property to take all actions, on behalf of the City, to enter into and
22 perform the City's obligations under the Lease, and to make any amendments or
23 modifications that the Director of Property determines, in consultation with the City Attorney,
24 are in the best interest of the City, do not increase the rent or otherwise materially increase
25 the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes

1 of the Lease or this resolution, and are in compliance with all applicable laws, including City's
2 Charter; and be it

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

11 FURTHER RESOLVED, That any action taken by any City employee or official with
12 respect to the exercise of the Lease as set forth herein is hereby ratified and affirmed; and, be
13 it

14 FURTHER RESOLVED, That City shall occupy the Premises for a year-to--year term
15 commencing September 1, 2009, unless City exercises its termination option or unless funds
16 for rental payments are not appropriated in any subsequent fiscal year, at which time City may
17 terminate the Lease with written notice to Landlord pursuant to Section 3.105 of the Charter of
18 the City and County of San Francisco.

19 RECOMMENDED: \$150,601.20 Available
20 Index Code 45ADOH, Subobject 03011

21 SEE FILE FOR SIGNATURE
22 Director of Property

23 SEE FILE FOR SIGNATURE
24 Controller

25 SEE FILE FOR SIGNATURE
Human Services Agency



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 091267

Date Passed: December 08, 2009

Resolution approving, retroactively, a lease at Bayview Plaza, 3801 Third Street, at Evans Street, for the Human Services Agency under Administrative Code Section 23.27.

December 08, 2009 Board of Supervisors - ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 091267

I hereby certify that the foregoing Resolution was ADOPTED on 12/8/2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

18 December 2009
Date Approved

Mayor Gavin Newsom