

1 [Lease of real property]

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Resolution authorizing the lease of 1439 sq. ft. at 30 Van Ness Ave. for the Sheriff's Department.

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RESOLVED, That in accordance with the recommendation of the Sheriff and the Director of Property, the Mayor, the Clerk of the Board of Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of the City and County of San Francisco, as Tenant, to execute a written lease and other related documents with Herbst Foundation, as Landlord, for third floor space in the building commonly known as 30 Van Ness Avenue, San Francisco, California, which comprises an approximate area of 1439 square feet on the terms and conditions contained herein and substantially in the form of the lease on file with Clerk of the Board; and, be it

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FURTHER RESOLVED, That the lease shall commence upon substantial completion of tenant improvements (expected to be about January 1, 2001) and terminate December 31, 2005. The City shall have two 5-year options to extend the term. The monthly rent for the term shall be \$4197.08. The City shall pay the Landlord \$14,000 upon lease commencement for its share of tenant improvements. The City will pay other typical tenant costs including any operating expense increases over a 2000 base year; and, be it

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FURTHER RESOLVED, That the lease may include an appropriate clause (in a form approved by the Director of Property and the City Attorney, indemnifying and holding harmless the Landlord, from and agreeing to defend the Landlord against any and all

1 (REAL ESTATE)

2 claims, costs and expenses, including, without limitation, reasonable attorney's fees,
3 incurred as a result of City's use of the premises, any default by the City in the performance
4 of any of its obligations under the lease, or any acts or omissions of City or its agents, in,
5 on or about the premises or the property on which the premises are located, excluding
6 those claims, costs and expenses incurred as a result of the gross negligence or willful
7 misconduct of Landlord or its agents; and be it

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9 FURTHER RESOLVED, That the lease shall be subject to and conditioned upon, the
10 Human Rights Commission's approval of Landlord's compliance with City's Non-
11 Discrimination and Equal Benefits in Employment Ordinance; and, be

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13 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
14 with respect to such lease are hereby approved, confirmed and ratified; 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
20 the purposes of the Lease or this resolution, and are in compliance with all applicable laws,
21 including City's Charter; and, be it

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23 FURTHER RESOLVED, That the City shall occupy the Premises for the entire term
24 of the lease unless funds for Sheriff's Department rental payments are not appropriated in
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1 any subsequent fiscal year at which time City may terminate the lease with advance written
2 notice to Landlord.

\$39,182.48 Available
Appropriation No.
1GAGFAAA 060304
03500


Controller

RECOMMENDED:


Sheriff


Director of Property

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City and County of San Francisco

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

Tails
Resolution

File Number: 001849

Date Passed:

Resolution authorizing the lease of 1439 sq. ft. at 30 Van Ness Avenue for the Sheriff's Department.

November 6, 2000 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Teng, Yaki
Absent: 1 - Yee

File No. 001849

I hereby certify that the foregoing Resolution was ADOPTED on November 6, 2000 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

NOV 17 2000

Date Approved

Mayor Willie L. Brown Jr.