

1 (Lease of Real Property)

2 **AUTHORIZING A LEASE AT 30 VAN NESS FOR THE EMPLOYEE RETIREMENT**  
3 **SYSTEM.**

4  
5  
6 RESOLVED, That in accordance with the recommendation of the Executive Director of the  
7 Employee Retirement System and the Director of Property, the Mayor, the Clerk of the Board of  
8 Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of the City  
9 and County of San Francisco, as Tenant, to execute a written lease and other related documents with  
10 the Herbst Foundation, as Landlord, for third floor space at the building commonly known as 30 Van  
11 Ness Avenue, San Francisco, California, which space comprises an approximate area of 19,814 square  
12 feet on the terms and conditions contained herein and on a form approved by the City Attorney.

13  
14 FURTHER RESOLVED, The lease shall commence upon substantial completion of tenant  
15 improvements (expected to be about August 1, 1999) and terminate July 31, 2009. The monthly rent  
16 for the first five years of the term shall be \$39,462.88. The monthly rent for the next five years of the  
17 term shall be \$45,704.29. The City shall pay the Landlord upon lease commencement an amount not to  
18 exceed \$32,000 for City's specialty tenant improvements. The City shall pay typical operating expense  
19 increases over a 1999 base year and other typical tenant costs such as telephone, data, and moving  
20 costs.  
21

22 FURTHER RESOLVED, That the lease shall include an appropriate clause (in a form approved  
23 by the Director of Property and the City Attorney), indemnifying and holding harmless the Landlord,  
24 from and agreeing to defend the Landlord against any and all claims, costs and expenses, including,  
25

[REAL ESTATE]


BOARD OF SUPERVISORS

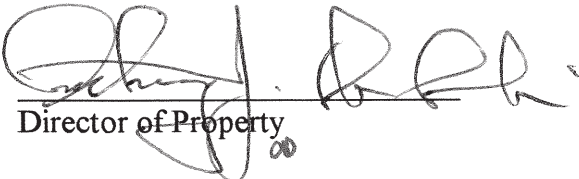
1 without limitation, reasonable attorney's fees, incurred as a result of City's use of the premises, any  
2 default by the City in the performance of any of its obligations under the lease, or any acts or omissions  
3 of City or its agents, in, on or about the premises or the property on which the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

7 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with  
8 respect to such lease are hereby approved, confirmed and ratified.

9 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to  
10 enter into any amendments or modifications to the Lease (including without limitation, the exhibits) that  
11 the Director of Property determines, in consultation with the City Attorney, are in the best interest of  
12 the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the  
13 City, are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in  
14 compliance with all applicable laws, including City's Charter.  
15

16 Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section  
17 6.302 of the Charter.  
18

19 RECOMMENDED:  
20  
21   
22 Executive Director  
Employee Retirement System

23  
24   
25 Director of Property

\$434,091.68 Available  
Appropriation No. 445001 03011  
7P-RET-ERT

  
Controller

(Subject to funds being approved in the  
Annual Appropriation Ordinance for  
1999-2000 Fiscal Year.)



City and County of San Francisco

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

Tails

Resolution

File Number: 990720

Date Passed:

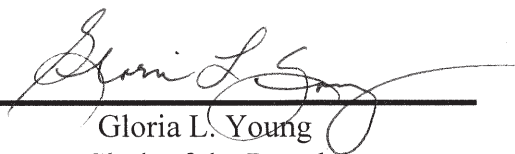
Resolution authorizing a lease at 30 Van Ness Avenue (3rd Floor), for the Employee Retirement System.

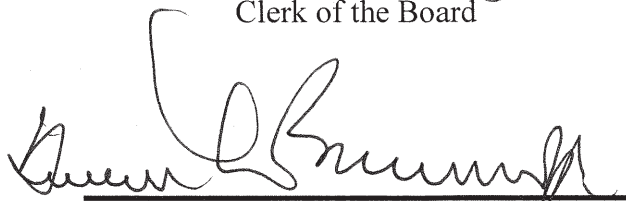
May 10, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990720

I hereby certify that the foregoing Resolution was ADOPTED on May 10, 1999 by the Board of Supervisors of the City and County of San Francisco.

  
Gloria L. Young  
Clerk of the Board

  
Mayor Willie L. Brown Jr.

MAY 14 1999

Date Approved