

1 (Lease of Real Property)

2 AUTHORIZING A LEASE OF REAL PROPERTY AT 1390 MARKET STREET FOR THE  
3 DEPARTMENT OF CHILDREN, YOUTH, AND THEIR FAMILIES AND FOR THE  
4 DELINQUENCY PREVENTION COMMISSION.  
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7 RESOLVED, That in accordance with the recommendation of the Director of the Department  
8 of Children, Youth and their Families, and the Director of Property, the Mayor, the Clerk of the Board  
9 of Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of the  
10 City and County of San Francisco, as Tenant, to execute a written lease amendment and other related  
11 documents with the Calfox, Inc., as Landlord, for ninth floor space at the building commonly known  
12 as Fox Plaza, 1390 Market St., San Francisco, California, which space comprises an approximate area  
13 of 7237 square feet on the terms and conditions contained herein and on a form approved by the City  
14 Attorney; and, be it  
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16 FURTHER RESOLVED, The lease shall commence upon substantial completion of tenant  
17 improvements (expected to be about Dec 15, 1999) and terminate November 30, 2005. The monthly  
18 rent paid until November 30, 2000 shall be \$10,533.74 (the current rent under leases signed in 1995 of  
19 \$7,694.07 plus \$2,839.67 for an additional 1217 rentable square feet). Beginning on December 1,  
20 2000 the base monthly rent for the next five years of the term shall be \$18,092.50 (\$30 per square foot  
21 per year). The base monthly rent shall include utilities, janitorial, and other typical office building  
22 services. Until November 30, 2000, the City will continue to pay it prorata share of operating  
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25 [REAL ESTATE]

1 expenses under the existing leases. Beginning December 1, 2000, the City shall pay its prorata share  
2 of operating expense increases over a new (1999) base year and other typical tenant costs such as  
3 telephone, data, and moving costs; and, be it

4 FURTHER RESOLVED, That the lease shall include an appropriate clause (in a form  
5 approved by the Director of Property and the City Attorney), indemnifying and holding harmless the  
6 Landlord, from and agreeing to defend the Landlord against any and all claims, costs and expenses,  
7 including, without limitation, reasonable attorney's fees, incurred as a result of City's use of the  
8 premises, any default by the City in the performance of any of its obligations under the lease, or any  
9 acts or omissions of City or its agents, in, on or about the premises or the property on which the  
10 premises are located, excluding those claims, costs and expenses incurred as a result of the active  
11 negligence or willful misconduct of Landlord or its agents; and be it

12 FURTHER RESOLVED, That the City shall occupy said premises for the entire term expiring  
13 November 30 , 2005, or November 30 2010 if the option is exercised unless funds for rental payments  
14 are not appropriated in any subsequent fiscal year at which time City may terminate this lease with  
15 advance notice to Landlord. Said Lease shall be subject to certification as to funds by the Controller,  
16 pursuant to Section 6.302 of the Charter; and, be it

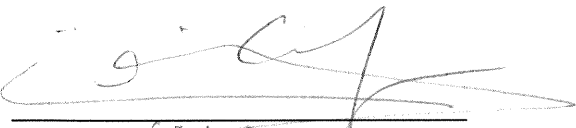
17 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with  
18 respect to such lease are hereby approved, confirmed and ratified; and, be it

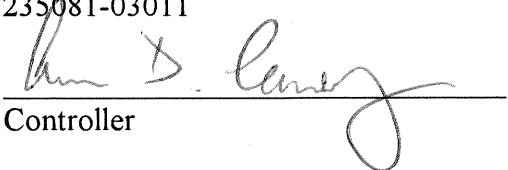
19 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property  
20 to enter into any amendments or modifications to the Lease (including without limitation, the exhibits)  
21 that the Director of Property determines, in consultation with the City Attorney, are in the best interest  
22 of the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the  
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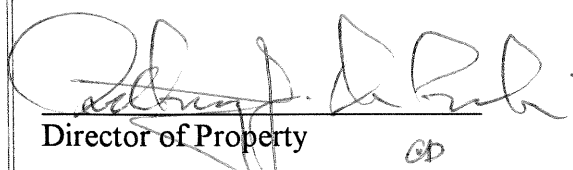
1 City, are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in  
2 compliance with all applicable laws, including City's Charter.  
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5 RECOMMENDED:

\$68,469.31 Available  
Appropriation Nos.  
235021-03011  
235081-03011

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8 \_\_\_\_\_  
9 Director (Acting)  
10 Department of Children Youth and their Families

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12 \_\_\_\_\_  
13 Controller

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Director of Property *CD*



# City and County of San Francisco

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

## Tails

### Resolution

**File Number:** 992073

**Date Passed:**

Resolution authorizing a lease of real property at 1390 Market Street for the Department of Children, Youth, and their Families and for the Delinquency Prevention Commission.

December 6, 1999 Board of Supervisors — ADOPTED

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

File No. 992073

I hereby certify that the foregoing Resolution was ADOPTED on December 6, 1999 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young  
Clerk of the Board

DEC 17 1999

**Date Approved**

Mayor Willie L. Brown Jr.