

1 [1975-1999 Bryant Street Lease Amendment]

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3 **Resolution authorizing a Lease Amendment to extend the term for five years for real**
4 **property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation**
5 **Agency.**

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7 WHEREAS, The City, for the Department of Parking and Traffic ("DPT"), entered into a
8 lease of approximately 21,162 square feet of industrial area at 1975-1999 Bryant Street,
9 which commenced on July 1, 1999 (the "Lease"); and,

10 WHEREAS, On July 1, 2002 the DPT became a part of the Municipal Transportation
11 Agency ("SFMTA") through consolidation; and,

12 WHEREAS, The City's Real Estate Division negotiated a five year extension of the
13 Lease at fair market value, with a City right of termination at any time after two years; now,
14 therefore, be it

15 RESOLVED, That in accordance with the recommendation of the Executive Director of
16 the SFMTA and the Director of Property, that the Board of Supervisors approves the Lease
17 amendment extending the term for five years in substantially the form on file with the Clerk of
18 the Board in File No. 090766 (the "Amendment"), authorizes the Director of Property to
19 execute the Amendment, and authorizes City staff to take all actions on behalf of the City to
20 perform the City's obligations and exercise the City's rights under the Lease as amended by
21 the Amendment; and, be it

22 FURTHER RESOLVED, The City's Director of Property and the MTA Executive
23 Director may terminate the Lease by providing the Landlord with 180 day's advance written
24 notice, which notice may not be served before January 1, 2011; and, be it

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1 FURTHER RESOLVED, That the monthly base rent for the Lease will be \$0.85 per
2 square foot per month (\$17,987.70), or \$215,852.40 per year, for the first two years.
3 Commencing on July 1, 2011, the base rent shall be increased by 3% to \$18,527.33 per
4 month; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
6 Property to enter into any amendments or modifications to the Lease that the Director of
7 Property determines, in consultation with the City Attorney and the Executive Director of the
8 SFMTA, are in the best interest of the City, do not increase the rent or materially increase the
9 obligations or liabilities of the City or materially reduce the benefits to the City, are necessary
10 or advisable to effectuate the purposes of the Lease or this resolution, and are in compliance
11 with all applicable laws, including City's Charter; and, be it

12 FURTHER RESOLVED, As set forth in the Lease, the City shall have the right to
13 terminate the Lease pursuant to Section 3.105 of the Charter in the event rental payments are
14 not appropriated in any fiscal year; and, be it

15 FURTHER RESOLVED, That any action taken by any City employee or official with
16 respect to this Lease, as amended by the Amendment, is hereby ratified and affirmed.

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18 RECOMMENDED: \$215,852.40 Available
19 Index No. PTC045NGTF05,
20 Sub Object. 03011
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22 _____
23 Amy Brown Ben Rosenfield
24 Director of Property Controller
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