

1 [Real Property Lease - Raul and Denise Arriaza and The Olson Family Trust Dated
2 October 16, 2014 - 1305, 1309 Evans Street - \$456,840 Annual Base Rent]

3 **Resolution authorizing the lease of approximately 12,690 square feet at 1305, 1309**
4 **Evans Street with 13 parking stalls, with Raul and Denise Arriaza, as to an undivided**
5 **50% interest and The Olson Family Trust dated October 16, 2014, as to an undivided**
6 **50% interest, for a five year term commencing upon approval by the Board of**
7 **Supervisors and Mayor, with one option to extend for five years, at the monthly base**
8 **rent of \$38,070 for a total annual base rent of \$456,840.**

9
10 WHEREAS, The Department of Public Health (the "DPH") currently operates its
11 Children's System of Care Program and Family Mosaic Project at 1305-1309 Evans Avenue
12 providing valuable services to the community since 2002; and

13 WHEREAS, The Real Estate Division, on behalf of the DPH, has negotiated a new
14 lease, substantially the form on file with the Clerk of the Board of Supervisors in File No.
15 180377, which is hereby declared to be a part of this resolution as if set forth fully herein (the
16 "Lease") to continue the DPH services at the site comprising approximately 12,690 square
17 feet; and

18 WHEREAS, The term of the lease shall be for five (5) years commencing upon
19 approval by the Board of Supervisors and Mayor in their respective sole and absolute
20 discretion; and,

21 WHEREAS, The City shall have one additional five (5) year option term to extend the
22 lease at 95% of the then prevailing fair market rent, subject to the enactment of a resolution
23 by the Board of Supervisors and the Mayor, in their respective sole and absolute discretion,
24 approving and authorizing the same; and

25 WHEREAS, The base monthly rent of \$38,070 is flat for the five year initial term; and

1 WHEREAS, Raul and Denise Arriaza as to an undivided fifty percent (50%) interest
2 and the Olson Family Trust dated October 16, 2014, as to an undivided fifty percent (50%)
3 interest (“Landlord”) shall be responsible for the cost of all utilities and janitorial services; now,
4 therefore, be it

5 RESOLVED, That in accordance with the recommendation of the Director of the
6 Department of Public Health and the Director of Property, the Director of Property is hereby
7 authorized to take all actions, on behalf of the City and County of San Francisco as Tenant to
8 enter into the Lease; and, be it

9 FURTHER RESOLVED, The monthly base rent for the initial five year term shall be
10 \$38,070 (\$3 per square foot); and be it

11 FURTHER RESOLVED, Landlord shall be responsible for the cost of all utilities and
12 janitorial services; and be it

13 FURTHER RESOLVED, The City shall have one additional option term of five years at
14 95% of the then prevailing fair market rent subject to the enactment of a resolution by the
15 Board of Supervisors and the Mayor, in their respective sole and absolute discretion,
16 approving and authorizing the same; and be it

17 FURTHER RESOLVED, The City agrees to indemnify, defend, and hold harmless
18 Landlord and its agents from and against any and all claims, costs, and expenses, including
19 without limitation, reasonable attorney fees, incurred as a result of (a) City’s use of the
20 Premises, (b) any default by the City in the performance of any of its obligations under the
21 lease, or (c) any acts or omissions of City or its agents, in, on or about the Premises or the
22 property on which the Premises are located, provided however City shall not be obligated to
23 indemnify Landlord or its agents to the extent any claim, cost and expense arises out of
24 active gross negligence or willful misconduct of Landlord or its agents; and be it
25

1 FURTHER RESOLVED, That any action heretofore taken by any City employee or
2 official with respect to the exercise of the lease as set forth herein is hereby approved,
3 confirmed and ratified; and be it

4 FURTHER RESOLVED, The Board of Supervisors approves the lease in substantially
5 the form in the Board's File and authorizes the Director of Property to take all actions, on
6 behalf of City, to enter into any amendments or modifications (including without limitation, the
7 exhibits) to the lease on the terms and conditions herein and form approved by the City
8 Attorney that the Director of Property determines, in consultation with the City Attorney, are in
9 the best interest of the City, do not increase the rent or otherwise materially increase the
10 obligations or liabilities of the City, are necessary or advisable to effectuate the purposes and
11 intent the lease and this resolution and are in compliance with all applicable laws, including
12 City's Charter; and be it

13 FURTHER RESOLVED, The City shall occupy the entire Premises for the full term of
14 the lease unless funds for the City's rental payments are not appropriated in any subsequent
15 fiscal year at which time City may terminate the lease with reasonable advance written notice
16 to Landlord; and be it

17 FURTHER RESOLVED, Such termination shall then be effective upon surrender of the
18 Premises, and be it

19 FURTHER RESOLVED, Said lease shall be subject to certification of funds by the
20 Controller, pursuant to Section 3.105 of the Charter of the City and County of San Francisco;
21 and be it

22 FURTHER RESOLVED, That within thirty (30) days of the lease agreement being fully
23 executed by all parties the Director of Property shall provide a copy of the Lease agreement to
24 the Clerk of the Board to include into the official file.
25

1 RECOMMENDED:

2 \$76,140 Available
3 PS Fund ID – 10000
4 PS Dept ID – 251962
5 PS Project ID – 10001793
6 PS Activity ID – 01
7 PS Authority – 10000

8 
9 _____

10 Controller

11 RECOMMENDED:

12 
13 _____

14 Barbara Garcia, Director
15 Department of Public Health

16 RECOMMENDED:

17 
18 _____

19 John Updike
20 Director of Property
21 Real Estate Division

22
23
24
25



City and County of San Francisco
Tails
Resolution

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

File Number: 180377

Date Passed: June 05, 2018

Resolution authorizing the lease of approximately 12,690 square feet at 1305, 1309 Evans Street with 13 parking stalls, with Raul and Denise Arriaza, as to an undivided 50% interest and The Olson Family Trust dated October 16, 2014, as to an undivided 50% interest, for a five year term commencing upon approval by the Board of Supervisors and Mayor, with one option to extend for five years, at the monthly base rent of \$38,070 for a total annual base rent of \$456,840.

May 17, 2018 Budget and Finance Sub-Committee - RECOMMENDED

June 05, 2018 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Stefani, Tang and Yee

File No. 180377

I hereby certify that the foregoing Resolution was ADOPTED on 6/5/2018 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

for Mark E. Farrell
Mayor

Date Approved