

FILE NO. 002096

RESOLUTION NO. 1050-00

1 **AUTHORIZING A LEASE OF REAL PROPERTY AT 165 CAPP STREET ON BEHALF OF**
2 **THE DEPARTMENT OF HUMAN SERVICES.**

3 WHEREAS, The Department of Human Services intends to locate a neighborhood
4 homeless drop in and referral center at 165 Capp Street (the "Premises"), excluding use as
5 temporary or permanent housing; and,
6

7 WHEREAS, a term sheet outlining the key terms and conditions of a proposed Lease
8 (the "Lease") for the Premises is on file with the Clerk of the Board of Supervisors in File No.
9 002096, which is hereby declared to be a part of this resolution as if set forth fully herein; now
10 therefore, be it

11 RESOLVED, That the term of the Lease shall begin on January 1, 2001, and continue
12 for a period of TEN (10) years; however, the City shall enjoy early access upon execution and
13 delivery of the Lease document to Landlord; and,
14

15 FURTHER RESOLVED, That the base rent for the first year of the Lease shall be
16 \$13,000 per month (\$2.00 per square foot per month) for the first twelve months with
17 scheduled increases in subsequent years as follows:
18

Year	Monthly Rent	Year	Monthly Rent
1	\$ 13,000	6	\$ 15,816
2	\$ 13,520	7	\$ 16,449
22	\$ 14,061	8	\$ 17,107
23	\$ 14,623	9	\$ 17,791
24	\$ 15,208	10	\$ 18,503

1 Rent shall be payable as scheduled unless funds for rental payments are not appropriated in
2 any subsequent City fiscal year, at which time the City may terminate the Lease with six
3 months advance notice to the Landlord; and,

4 FURTHER RESOLVED, City shall be responsible for the cost of electrical and
5 janitorial service, and shall reimburse Landlord for the cost of property casualty insurance.
6 The City shall also be responsible for the normal maintenance and repair of the interior
7 premises; and,
8

9 FURTHER RESOLVED, subject to the department's budget considerations, the
10 department shall be authorized to contribute additional money in an amount of approximately
11 \$ 577,586 in order to complete necessary tenant improvements, including but not limited to
12 telecommunication wiring and equipment, furniture and or furniture installation, additional
13 electrical wiring or other items necessary to the department's operation within the premises;
14 and,
15

16 FURTHER RESOLVED, That the lease shall provide a maximum amount of \$577,586,
17 plus a ten percent construction contingency of \$57,759, for a total maximum construction cost
18 of \$635,345 to be reimbursed to the landlord for the renovating provided in the lease; and,

19 FURTHER RESOLVED, That the Lease may include a clause (substantially in a form
20 approved by the Director of Property and the City Attorney) indemnifying and holding
21 harmless the Landlord from, and agreeing to defend the Landlord against, any and all claims,
22 costs and losses, including without limitation, reasonable attorneys' fees, incurred as a result
23 of City's use of the premises, any default by the City in the performance of any of its
24
25

1 obligations under the Lease, or any acts or omissions of City, its agents or its invitees in, on
2 or about the premises or the property on which the premises are located; and

3 FURTHER RESOLVED, That in accordance with the recommendation of the Director
4 of the Department of Human Services, the Director of Property is hereby authorized to enter
5 into and execute a written Lease with Captmond Lau, as Landlord; for the entire premises
6 located at 165 Capp Street, San Francisco, California, comprising a total area of
7 approximately 6,500 rentable square feet on the terms and conditions described in the term
8 sheet and as set forth herein, and in a form approved by the City Attorney; and, be it
9

10 FURTHER RESOLVED, That any action taken by any City employee or official with
11 respect to the Lease are hereby ratified and affirmed.

12
13 RECOMMENDED:

\$665,336 Available 2000-2001 Fiscal Year

14 see original for signatures

455010/03011

15 Director of Property

Appropriation Number - DHS

16
17 see original for signatures

Controller

18
19 see original for signatures

20 Director, Department of Human Services