

1 [Lease of Real Property at 1701 Ocean Avenue]

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3 **Resolution authorizing the lease of 5,000 square feet of space at 1701 Ocean Avenue**
4 **for the OMI Family Center of the Department of Public Health.**

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6 WHEREAS, The Department of Public Health's OMI Family Center provides valuable
7 mental health services to the residents of the Ocean, Merced, Ingleside neighborhoods; and

8 WHEREAS, The Real Estate Division has negotiated a lease to meet the needs of the
9 OMI Family Center on file with the Clerk of the Board of Supervisors in File No. , which is
10 hereby declared to be a part of this resolution as if set forth fully herein; and

11 WHEREAS, The term of the lease shall be for 10 years with an estimated
12 commencement date of February 20, 2007, following the completion of the required leasehold
13 improvements; and,

14 WHEREAS, The City shall have two (2) additional option periods to renew the lease of
15 five (5) years each; and,

16 WHEREAS, The base monthly rent shall be \$13,150 fully serviced subject to a
17 Consumer Price Index adjustment in the fifth year of no less than 15% nor more than 30%

18 WHEREAS, The Landlord will provide \$200,000 of leasehold improvements and the
19 City shall pay Landlord the verified costs in excess of the \$200,000 totaling \$486,262; now,
20 therefore, be it

21 RESOLVED, That in accordance with the recommendation of the Director of the
22 Department of Public Health and the Director of Property, the Director of Property is hereby
23 authorized to take all actions, on behalf of the City and County of San Francisco, as Tenant,
24 to execute the Lease with Huey Lan F. 2004 Trust, as Landlord for 1701 Ocean Avenue, San
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1 Francisco, California, on file with the Clerk of the Board of Supervisors in File No. , which
2 is hereby declared to be a part of this resolution as if set forth fully herein; and, be it

3 FURTHER RESOLVED, That the monthly base rent shall be \$13,150 upon occupancy
4 (2.63 per square foot) fully serviced, subject to a Consumer Price Index adjustment in the fifth
5 year of no less than 15% nor more than 30%.

6 FURTHER RESOLVED, That the City will pay the verified leasehold improvement
7 costs in excess of \$200,000 totaling \$486,262; and, be it

8 FURTHER RESOLVED, That the City shall have two (2) additional option terms of five
9 years each; and be it

10 FURTHER RESOLVED, That the Lease shall include a clause approved by the City
11 Attorney, indemnifying and holding harmless the Landlord from and agreeing to defend the
12 Landlord against any and all claims, costs and expenses, including, without limitation,
13 reasonable attorney's fees, incurred as a result of Cy's sue of the premises, any default by the
14 City in the performance of any of its obligations under the lease or any acts or omissions of
15 City or its agents, in, on or about the premises or the property on which the premises are
16 located, excluding those claims, costs and expenses incurred as a result of the active gross
17 negligence or willful misconduct of Landlord or its agents; and be it

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

20 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
21 Property to enter into any amendments or modifications to the lease that the Director of
22 Property determines, in consultation with the City Attorney, are in the best interest of the City,
23 do not increase the rent or otherwise materially increase the obligations or liabilities of the
24 City, are necessary or advisable to effectuate the purposes of the lease and are in compliance
25 with all applicable laws, including City's Charter.

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\$543,089 Available
Index Codes:
HMHM CC751372, \$207,254
HMHMCC 730515, \$225,742
HMHMAB 2034GF, \$40,000
HMHMCP751594, \$49,066
HMHM CB731943, \$21,027

Controller

RECOMMENDED:

Director
Public Health

Director of Property
Real Estate Division