

1 [Real Property Lease Amendment - 25 Van Ness Avenue, Lower Level - New Conservatory
2 Theatre Center - Monthly Base Rent \$7,983]

3 **Resolution authorizing the lease amendment to extend approximately 12,792 rentable**
4 **square feet of space at 25 Van Ness, Lower Level, to New Conservatory Theatre Center,**
5 **a California non-profit corporation, for a monthly base rent of \$7,983 for a total annual**
6 **base rent of \$95,796 for the period of October 1, 2018, through September 30, 2023.**

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8 WHEREAS, 25 Van Ness Avenue, Assessor’s Parcel Block No. 0834, Lot No. 004, City
9 and County of San Francisco, is a building owned and operated by the City and County of
10 San Francisco (“City”); and

11 WHEREAS, The lower level of 25 Van Ness Avenue contains space that is designed
12 for a theatrical use and is ADA-compliant; and

13 WHEREAS, The New Conservatory Theatre Center, a California non-profit corporation
14 (“NCTC” or “Tenant”), has been providing quality live entertainment from the lower level of 25
15 Van Ness Avenue since 1984, and the City desires to have the NCTC continue its operations
16 in that location; and

17 WHEREAS, The current lease expires September 30, 2018; and

18 WHEREAS, The current rent is \$7,826; and

19 WHEREAS, The Real Estate Division has completed negotiations with the NCTC to
20 extend and amend the current lease for another five year period and raising the rent; now,
21 therefore, be it

22 RESOLVED, That in accordance with the recommendation of the Director of Property,
23 the Director of Property is hereby authorized to take all actions, on behalf of the City, as
24 Landlord, to execute a lease with the NCTC, as Tenant, for the lower level of 25 Van Ness

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1 Avenue, San Francisco, California (the "Lease"), substantially in the form on file with the Clerk
2 of the Board of Supervisors in File No. 180769; and, be it

3 FURTHER RESOLVED, That the term of the Lease shall be extended five years under
4 the first Extension Option with a termination date of September 30, 2023; and, be it

5 FURTHER RESOLVED, That the monthly base rent shall be adjusted to \$7,983 upon
6 commencement, full service, and that such rent shall be the same through the first Extension
7 Option term of the Lease; and, be it

8 FURTHER RESOLVED, That the Lease contains one more 5-year Extension Option
9 for renewal by Tenant at a rental rate to be adjusted at the beginning of each extension term
10 in accordance with the increase in the Consumer Price Index, subject to a minimum increase
11 of 3% per year and a maximum increase of 8% per year, as more particularly described in the
12 Lease; and, be it

13 FURTHER RESOLVED, That other than the rent adjustment and extension of the term,
14 the Lease shall remain in full force and effect as originally agreed upon; and, be it

15 FURTHER RESOLVED, That any action heretofore by any City employee or official
16 with respect to this Lease are hereby approved, confirmed and ratified; and, be it

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

23 FURTHER RESOLVED, That within thirty days of the agreement being fully executed
24 by all parties, the Director of Real Estate shall provide the agreement to the Clerk of the Board
25 for inclusion in the file.

1 RECOMMENDED:

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Andrico Q. Penick
5 Director of Property

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