

1 [Real Property Lease - Aardvark Storage Unlimited, Inc. - 600 Amador Street, Seawall Lot 344
2 - Initial Monthly Rent of \$99,961.20]

3 **Resolution approving Port Commission Lease No. L-16846 with Aardvark Storage**
4 **Unlimited, Inc., a California corporation, dba American Storage, located at 600 Amador**
5 **Street within Seawall Lot 344 for approximately 279,740 square feet of paved land for**
6 **an initial monthly rent of \$99,961.20 and a term of five years with one one-year option**
7 **to extend the term, to commence upon Board of Supervisors approval; and to authorize**
8 **the Executive Director of Port to enter into any additions, amendments, or other**
9 **modifications to the Lease that do not materially increase the obligations or liabilities**
10 **to the City and are necessary to effectuate the purposes of this Resolution.**

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12 WHEREAS, California Statutes of 1968, Chapter 1333 (the "Burton Act") and Charter
13 Sections 4.114 and B3.581 empower the Port Commission with the power and duty to use,
14 conduct, operate, maintain, manage, regulate and control the Port area of the City and County
15 of San Francisco; and

16 WHEREAS, Aardvark Storage Unlimited, Inc., dba American Storage ("Aardvark"), is a
17 tenant in good standing under its current lease L-14819 located at 600 Amador Street, within
18 Seawall Lot 344 in the Southern Waterfront off Cargo Way at Third Street in the City and
19 County of San Francisco; and

20 WHEREAS, Port Staff has negotiated the terms of a new five year lease with one
21 option to extend the term for one additional year for approximately 279,740 square feet of
22 paved land for continued use as a mini-storage facility (the proposed "Lease"); and

23 WHEREAS, The permitted use under the proposed Lease is a continuation of an
24 existing use, and has no potential to result in any new direct or indirect physical change to the
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1 environment; approval of the proposed Lease is therefore not a project subject to review
2 under the California Environmental Quality Act (CEQA); and

3 WHEREAS, The net lease will initially generate revenues of approximately \$100,000
4 per month, increasing to approximately \$132,000 per month during the last year of the initial
5 term for the approximately 279,740 square feet of paved land; and

6 WHEREAS, San Francisco Charter, Section 9.118, requires Board of Supervisors'
7 approval of non-maritime leases under the jurisdiction of the Port Commission which either
8 have a term in excess of ten years or have anticipated revenue to the City of \$1,000,000 or
9 more; and

10 WHEREAS, The Port anticipates revenues from this Lease to exceed \$1,000,000; and
11 now, therefore, be it

12 RESOLVED, That the Board of Supervisors approves the proposed Lease and
13 authorizes the Executive Director of the Port or her designee to execute such Lease in
14 substantially the same form as the Lease on file with the Clerk of the Board; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Executive
16 Director to enter into any additions, amendments or other modifications to the Lease that the
17 Executive Director, in consultation with the City Attorney, determines, when taken as a whole,
18 to be in the best interest of the Port, do not materially increase the obligations or liabilities of
19 the City or the Port, and are necessary or advisable to complete the transactions which this
20 Resolution contemplates and effectuate the purpose and intent of this Resolution, such
21 determination to be conclusively evidenced by the execution and delivery by the Executive
22 Director of such documents; and, be it

23 FURTHER RESOLVED, That within thirty (30) days of the Lease being fully executed
24 by all parties, the Port shall provide a copy of the Lease to the Clerk of the Board for inclusion
25 into the official file.