

1 [Lease of Real Property - 1360 Mission Street

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3 **Resolution authorizing the lease of 1360 Mission Street, Suite 401, for the**
4 **Department of Public Health.**

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6 WHEREAS, The Department of Public Health has occupied the 6,300 square foot
7 premises located at 1360 Mission Street, Suite 401, since 1992 and currently operates its
8 STD Program Administrative Headquarters at the site; and

9 WHEREAS, The Real Estate Division at the request of the Department of Public
10 Health negotiated the renewal of the Lease at 1360 Mission Street, Suite 401, for a five-
11 year term commencing upon approval by the Board of Supervisors and Mayor, which
12 includes one two-year option term; and

13 WHEREAS, The monthly fair market rent for the initial term shall be \$11,072.25
14 (\$1.75 per square foot), fully serviced, subject to annual Consumer Price Index adjustments
15 of no less than 2% and no more than 5%, with rent for the two-year option term at 95% of
16 the prevailing fair market rent; now, therefore, be it

17 RESOLVED, That the Lease shall include the clause indemnifying, holding
18 harmless, and defending Lessor and its agents from and against any and all claims, costs
19 and expenses, including without limitation, reasonable attorney fees incurred as a result of
20 any default by the City in the performance of any of its material obligations under the
21 Lease, or any negligent acts or omissions of the City, or its agents, in, on or about the
22 Premises or the property on which the Premises are located, excluding those claims, costs
23 and expenses incurred as a result of the negligence or willful misconduct of the Lessor or
24 its agents; and be it

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1 FURTHER RESOLVED, That the Director of Property be authorized to enter into
2 any additions, amendments or other modifications to the Lease agreement (including
3 without limitation, the exhibits) that the Director of Property determines, in consultation with
4 the Director of the Department of Public Health and the City Attorney, are in the best
5 interests of the City, do not materially increase the obligations or liabilities of the City, and
6 are necessary or advisable to complete the transaction contemplated in the Lease and
7 effectuate the purpose and intent of this resolution, such determination to be conclusively
8 evidenced by the execution and delivery by the Director of Property of any amendments
9 thereto; and be it

10 FURTHER RESOLVED, That said Lease shall be subject to certification of funds by
11 the Controller pursuant to Section 6.302 of the Charter.

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13 RECOMMENDED:

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15 _____
16 Barbara Garcia, Director
17 Department of Public Health

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19 _____
20 John Updike
21 Acting Director of Property

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23 \$121,794.75 Available
24 Appropriation No. HCHPDSTDSVGF

25
26 _____
27 Controller