

1 [Real Property Lease Amendment - Stuart B. and Myrna J. Aronoff Revocable Trust and
2 Trudy Cohn - 160 South Van Ness Avenue]

3 **Resolution authorizing the amendment of an existing lease at 160 South Van Ness**
4 **Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as**
5 **Tenants in Common, for the Human Services Agency to provide a construction**
6 **allowance and extend the lease term.**
7

8 WHEREAS, The Investigations Division of the Human Services Agency (HSA) provides
9 important City functions including internal investigations, quality control of payments and
10 collections, providing program integrity in all HSA programs, and making sure that HSA
11 services are available to those whom are eligible; and

12 WHEREAS, HSA's Investigations Division, during Fiscal Year 2010/2011, prevented an
13 estimated \$1.7 Million dollars from being fraudulently expended and the Investigations
14 Division collected another \$2 Million dollars in overpayments; and

15 WHEREAS, The Investigations Division manages some of the Department's most
16 sensitive issues - ranging from the investigation of deaths of dependent children to criminal
17 investigations; and

18 WHEREAS, The Investigations Division does internal investigations of the Agency to
19 prevent employee embezzlement, fraud and other schemes. And similar to the Office of
20 Citizen Complaints for the San Francisco Police Department and Investigative Services Unit
21 for the Sherriff's Department, for confidentiality HSA's Investigations Division office is external
22 and independent of the main operations of HSA; and

23 WHEREAS, The Investigations Division has been located at 160 South Van Ness
24 Avenue since 1999; and
25

1 WHEREAS, The City and County of San Francisco, as Tenant, and Stuart B. and
2 Myrna J. Aronoff Revocable Trust and Trudy Cohn, as Tenants in Common, collectively as
3 Landlord, executed a renewal lease dated July 31, 2009, authorized by Resolution 305-09
4 and modified by the Second Amendment to Lease authorized by Resolution 506-10 for
5 Premises consisting of approximately 15,000 sq. ft. at the building commonly known as 160
6 South Van Ness Avenue for the Human Services Agency Investigation Division; and

7 WHEREAS, The Lease for 160 South Van Ness Ave. expires on August 31, 2017; and

8 WHEREAS, The Human Services Agency now desires to make modifications to the
9 Premises which, when completed, will provide increased confidentiality for the public and
10 improve employee safety; and

11 WHEREAS, In these economic times, funding sources for all programs including the
12 proposed improvements are limited; and

13 WHEREAS, The Landlord is willing to fund the proposed improvement up to a cost of
14 \$54,000 in exchange for repaying such sum over an additional 3 year term; and

15 WHEREAS, An amendment of a lease of real property is subject to enactment of a
16 resolution by the Board of Supervisors and the Mayor, in their respective sole and absolute
17 direction, approving and authorizing such amendment; now, therefore, be it

18 RESOLVED, That in accordance with the recommendation of the Director of the
19 Human Services Agency and the Director of Property, the Director of Property is hereby
20 authorized to take all actions on behalf of the City and County of San Francisco, as tenant, to
21 amend the lease with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as
22 Tenants in Common, collectively as Landlord, for the building commonly known as 160 South
23 Van Ness Ave., San Francisco, California (a copy of the lease amendment is on file with the
24 Clerk of the Board of Supervisors in File No. 110985, which is hereby declared to be a part of
25

1 this resolution as if set forth fully herein) and on a form approved by the City Attorney; and, be
2 it

3 FURTHER RESOLVED, That the Lease Amendment for 160 South Van Ness Ave.
4 shall provide the City with a construction allowance of \$54,000 and extend the term of the
5 Lease from August 31, 2017 to August 31, 2020 (a 3 year extension) at the monthly rent of
6 \$30,800; and, be it

7 FURTHER RESOLVED, That the Lease shall continue to include the lease clause,
8 indemnifying, holding harmless, and defending Landlord and its agents from and against any
9 and all claims, costs and expenses, including without limitation, reasonable attorneys' fees,
10 incurred as a result of any default by the City in the performance of any of its obligations
11 under the Lease, or any negligent acts or omissions of the City or its agents, in, on, or about
12 the Premises or the property on which the Premises are located, excluding those claims,
13 costs and expenses incurred as a result of the negligence or willful misconduct of the
14 Landlord or its agents; and, be it

15 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
16 with respect to such Lease Amendment is 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 Amendment (including,
19 without limitation, the exhibits) that the Director of Property determines, in consultation with
20 the City Attorney, are in the best interest of the City, do not increase the rent or otherwise
21 materially increase the obligations or liabilities of the City, are necessary or advisable to
22 effectuate the purposes of the Lease or this resolution, and are in compliance with all
23 applicable laws, including the City Charter; and, be it

24 FURTHER RESOLVED, That the City shall continue to occupy the entire Premises for
25 the full term of the Lease unless funds for rental payments are not appropriated in any

subsequent fiscal year at which time the City may terminate the Lease with advance notice to Landlord. Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 6.302 of the City Charter.

RECOMMENDED:

Human Services Agency

Acting Director of Property
Real Estate Division