FILE NO.120040

RESOLUTION NO.

1	[Real Property Lease Expansion - Mattison Family Trust - 555 Polk Street]					
2						
3	Resolution: 1) approving the exercise of a lease expansion of approximately 9,000					
4	square feet at 555 Polk Street with the Mattison Family Trust at a base rent of \$16,100					
5	per month for use by the Department of Public Health as a Community Justice Center,					
6	and 2) authorizing other actions in furtherance of this Resolution.					
7						
8	WHEREAS, Since 1991, the City has leased approximately 9,000 square feet of					
9	ground floor space at 575 Polk Street for additional Superior Court court rooms and					
10	administrative offices (575 Polk Street Court Facility) under a lease dated as of December 3,					
11	1990 (575 Polk Street Lease) and,					
12	WHEREAS, By companion legislation, the Board is considering the renewal of the 575					
13	Polk Street Lease through July 31, 2021; and,					
14	WHEREAS, The City subleased approximately 9,000 square feet of second floor space					
15	with an entrance off Polk Street which is commonly known as 555 Polk Street from the					
16	California Culinary Academy, LLC (the 555 Polk Street Facility) under the jurisdiction of the					
17	Department of Public Health (DPH) for use as a Community Justice Center working with the					
18	Superior Court functions already located on the ground floor under a sublease dated as of					
19	March 13, 2008 (555 Polk Street Sublease) pursuant to Board of Supervisors Resolution 348-					
20	08; and,					

21 WHEREAS, The Community Justice Center at the 555 Polk Street Facility works in 22 conjunction with the Superior Court functions at the 575 Polk Street Facility to provide 23 essential public services; and

24 WHEREAS, The 555 Polk Street Sublease expires March 15, 2013 and there are no 25 further options to extend the sublease; and,

Real Estate Division BOARD OF SUPERVISORS WHEREAS, The Real Estate Division has negotiated an option to add the 555 Polk
 Street facility to the proposed 575 Polk Street Lease, which would make the lease expirations
 for the two functions co-terminus.

WHEREAS, The proposed expansion option retains the current rental of \$16,100.00 (approximately \$1.79 per square foot) per month without increase for the next eight years, four months (from March 31, 2013 through July 31, 2021) on the terms and conditions set forth in the form of the lease (the "New 575 Polk Lease") on file with the Clerk of the Board of Supervisors in File No. _____, which is incorporated herein by reference; and,,

9 WHEREAS, The exercise of the option to add the 555 Polk Street facility to the 575
10 Polk Street Lease is subject to Board approval, therefore, be it

RESOLVED, That the Director of Property is hereby authorized to exercise the option 11 12 to expand the New 575 Polk Street Lease to include the Premises known as 555 Polk Street 13 and enter into any amendments or modifications to such Lease (including without limitation, 14 the exhibits), that the Director of Property determines, in consultation with the City Attorney, 15 are in the best interest of the City, do not materially increase the rent or other obligations or liabilities of the City or materially reduce the benefits to City, are necessary or advisable to 16 17 effectuate the purposes of the Lease, and this Resolution, and are in compliance with all 18 applicable laws, including City's Charter; and, be it FURTHER RESOLVED, That all actions heretofore taken by the officers of the City 19 20 with respect to the New Lease, the Sublease and the Transfer Agreement Amendment are 21 hereby approved, confirmed and ratified; and, be it

22 FURTHER RESOLVED, That the expansion of the Lease shall be subject to

certification as to funds by the Controller, pursuant to Section 3.105 of the Charter.

24

25

Available: \$48,300.00 (Base Rent for April 1, 2013 to June 30, 2013)

Real Estate Division BOARD OF SUPERVISORS

1					
2		Controller			
3		Subject to Appropriation	enactment Ordinance	of for	an Annual Fiscal Year
4		2012/2013			
5	RECOMMENDED:				
6					
7	Director				
8	Department of Public Health				
9					
10					
11	Acting Director of Property				
12	Acting Director of Property Real Estate Division				
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					