

1 [Real Property Lease Expansion - K LW, LLC - 3120 Mission Street]

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Resolution authorizing the amendment of an existing lease at 3120 Mission Street with K LW, LLC, to expand the premises by approximately 5,000 square feet for the Human Services Agency.

WHEREAS, The Human Services Agency (HSA) has leased approximately 37,000 sq. ft. at 3120 Mission Street (the "Premises") from K LW, LLC, a California limited liability company (the "Landlord") since July 1, 2001 (lease authorized by Board of Supervisors Resolution 413-01) to provide the public with essential job readiness, counseling and placement services; and

WHEREAS, In 2008, the lease was amended to add 2,251 sq. ft. to the Premises (lease amendment authorized by Board of Supervisors Resolution 402-08) to expand the services provided to the public; and

WHEREAS, The recession of 2009 produced unemployment rates statewide of 12% and greater in some socio economic groups; and

WHEREAS, The Federal Government, through the American Recovery and Reinvestment Act (ARRA) Program, provided funding to local agencies for subsidized employment services; and

WHEREAS, The Human Services Agency used ARRA funding to lease temporary space from Landlord at 3125 Mission Street to further augment the existing space at 3120 Mission Street to meet this increased demand for employment services; and

WHEREAS, The 3125 Mission Street facilities among other uses, provide classrooms and job fair areas and have become integral to the services provided at 3120 Mission Street; and

1 WHEREAS, The integrated facilities have proven highly success resulting in more than
2 twelve hundred (1200) job placements during the first ten months in FY11-12; and

3 WHEREAS, The Director of Property believes the proposed lease transaction
4 represents Fair Market Rent for the expansion area; now, therefore, be it

5 RESOLVED, That in accordance with the recommendation of the Director of the
6 Human Services Agency and the Director of Property, the Director of Property is hereby
7 authorized to take all actions on behalf of the City and County of San Francisco, as tenant, to
8 amend the lease for the building commonly known as 3120 Mission Street, San Francisco,
9 California (a copy of the lease amendment is on file with the Clerk of the Board of Supervisors
10 in File No. 120583, which is hereby declared to be a part of this resolution as if set forth fully
11 herein) and on terms contained herein; and, be it

12 FURTHER RESOLVED, That the Lease Amendment for 3120 Mission Street shall
13 expand the Premises by 5,000 sq. ft. from 39,251 sq. ft. to 44,251 sq. ft. at an additional
14 monthly rent of \$10,000.00 (\$2.00 per sq. ft.); and, be it

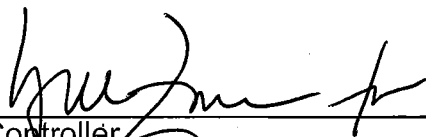
15 FURTHER RESOLVED, That the Lease shall continue to include the lease clause,
16 indemnifying, holding harmless, and defending Landlord and its agents from and against any
17 and all claims, costs and expenses, including without limitation, reasonable attorneys' fees,
18 incurred as a result of any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

23 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
24 with respect to such Lease Amendment is hereby approved, confirmed and ratified; and, be it
25

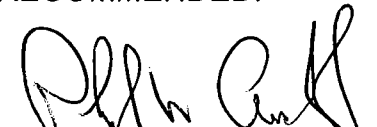
1 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
2 Property to enter into any amendments or modifications to the Lease Amendment (including,
3 without limitation, the exhibits) that the Director of Property determines, in consultation with
4 the City Attorney, are in the best interest of the City, do not increase the rent or otherwise
5 materially increase the obligations or liabilities of the City, are necessary or advisable to
6 effectuate the purposes of the Lease or this resolution, and are in compliance with all
7 applicable laws, including the City Charter; and, be it

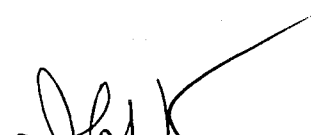
8 FURTHER RESOLVED, That the City shall continue to occupy the entire Premises for
9 the full term of the Lease unless funds for rental payments are not appropriated in any
10 subsequent fiscal year at which time the City may terminate the Lease with advance notice to
11 Landlord. Said Lease shall be subject to certification as to funds by the Controller, pursuant
12 to Section 6.302 of the City Charter.

13 \$120,00.00 Available
14 (Additional Rent 7/1/012 to 6/30/13)
15 Index No. 45ADOH/03011

16 
17 _____
18 Controller
19 Subject to the enactment of the 2012/2013
20 Annual Appropriation Ordinance

21 RECOMMENDED:

22 
23 _____
24 Human Services Agency

25 
26 _____
27 Acting Director of Property
28 Real Estate Division

29 BOARD OF SUPERVISORS



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120583

Date Passed: July 24, 2012

Resolution authorizing the amendment of an existing lease at 3120 Mission Street with KLW, LLC, to expand the premises by approximately 5,000 square feet for the Human Services Agency.

July 18, 2012 Budget and Finance Sub-Committee - RECOMMENDED

July 24, 2012 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Kim, Mar, Olague and Wiener

Excused: 1 - Farrell

File No. 120583

I hereby certify that the foregoing Resolution was ADOPTED on 7/24/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved