

1 [Real Property Lease Renewal - 3801-3rd Street, Suite 400 - Bayview Plaza, LLC, - \$38,545
2 Monthly]

3 **Resolution retroactively authorizing the renewal lease for approximately 14,825**
4 **square feet of space at 3801-3rd Street, Suite 400, San Francisco, with Bayview Plaza,**
5 **LLC, as Landlord, for use by the Department of Public Health at the monthly cost of**
6 **\$38,545 for the period of July 1, 2013, through June 30, 2018.**

7
8 WHEREAS, The Department of Public Health has occupied the 14,825 square foot
9 premises at 3801-3rd Street, Suite 400, since 1998, and currently operates its Foster Care,
10 Child Crisis and Crisis Response Team programs at the site; and

11 WHEREAS, The Real Estate Division at the request of the Department of Public
12 Health negotiated the renewal of the Lease at 3801-3rd Street, Suite 400, for a 5-year term
13 commencing July 1, 2013 upon the expiration of the existing lease on June 30, 2013, with
14 one additional 4-year option term at 95% of the prevailing market rent, subject to approval
15 by the Board of Supervisors and Mayor in their sole and absolute discretion; and

16 WHEREAS, The fully serviced, fair market rent for the initial term shall be \$38,545
17 (\$2.60 per sq. ft.) subject to annual Consumer Price Index adjustments of no less than 2%
18 and no more than 5%; and

19 WHEREAS, The Landlord at its sole cost shall install new floor covering at an
20 estimated amount of \$60,000 and City shall be responsible for furniture moving expenses
21 at an estimated amount of \$25,000; now, therefore, be it

22 RESOLVED, That the Board of Supervisors authorizes the Director of Property to
23 take all actions, on behalf of the City, to enter into any amendments or modifications
24 (including without limitation, the exhibits) to the Lease on the terms and conditions herein
25 and form approved by the City Attorney that the Director of Property determines, in

1 consultation with the City Attorney are in the best interest of the City, do not increase the
2 rent or otherwise materially increase the obligations or liabilities of the City, are necessary
3 or advisable to effectuate the purposes of the Lease or this resolution, and are in
4 compliance with all applicable laws, including City's Charter; and, be it

5 FURTHER RESOLVED, That the fully serviced, fair market monthly rent for the
6 initial five year term shall be \$38,545 (\$2.60 per sq. ft.), subject to annual Consumer Price
7 Index adjustments of no less than 2% and no more than 5%; and, be it

8 FURTHER RESOLVED, That the City agrees to indemnify, defend, and hold
9 harmless Landlord and its agents from and against any and all claims, costs, and
10 expenses, including, without limitation, reasonable attorneys fees, incurred as a result of (a)
11 City's use of the Premises, (b) any default by City in the performance of any of its
12 obligations under the Lease, or (c) any negligent acts or omissions of City or its agents, in,
13 on, or about the Premises or the property, provided, however, City shall not be obligated to
14 indemnify Landlord or its agents to the extent any claim arises out of the negligence of
15 willful misconduct of Landlord or its agents; and, be it


16 FURTHER RESOLVED, That any action taken by any City employee or official with
17 respect to the exercise of the Lease as set forth herein is hereby ratified and affirmed; and,
18 be it


19 FURTHER RESOLVED, That City shall occupy the Premises as described in the
20 Lease for a 5-year term commencing on July 1, 2013 with one additional 4-year option term
21 at 95% of the prevailing market rent, subject to approval by the Board of Supervisors and
22 Mayor in their sole and absolute discretion unless funds for rental payments are not
23 appropriated in any subsequent fiscal year, at which time City may terminate the Lease
24 with written notice to Landlord pursuant to Section 3.105 of the Charter of the City and
25 County of San Francisco.

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RECOMMENDED:

\$462,540 Available for FY 2013-2014
Appropriation No. HMHMCB731943


Controller, availability of funds
subject to the enactment of the
FY 2013-2014 annual appropriation ordinance.



Director of Property



Director
Department of Public Health



City and County of San Francisco
Tails
Resolution

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

File Number: 130701

Date Passed: September 17, 2013

Resolution retroactively authorizing the renewal lease for approximately 14,825 square feet of space at 3801-3rd Street, Suite 400, San Francisco, with Bayview Plaza, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of \$38,545 for the period of July 1, 2013, through June 30, 2018.

September 11, 2013 Budget and Finance Committee - RECOMMENDED


September 17, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener and Yee

Absent: 1 - Kim

File No. 130701

I hereby certify that the foregoing
Resolution was ADOPTED on 9/17/2013 by
the Board of Supervisors of the City and
County of San Francisco.



Angela Calvillo
Clerk of the Board



Mayor



Date Approved