

1 [Lease of Real Property]

2 **Resolution authorizing a Sublease renewal of approximately 117,826 square feet of**
3 **space at 1235 Mission Street for the Department of Human Services.**

4
5 WHEREAS, The City and the San Francisco Unified School District ("SFUSD"),
6 executed the ten year Sublease dated August 1, 1992, authorized by Resolution 20-92 for
7 Premises consisting of 117,826 square feet at the building commonly known as 1235 Mission
8 Street; and

9 WHEREAS, Such Sublease expires on June 30, 2003 and contains an option to
10 extend the terms for 5 years on the same terms and conditions except that the Base Monthly
11 Rental is to be adjusted to 95% of the market rental value but not less than the current Base
12 Monthly Rental; and,

13 WHEREAS, Pursuant to the terms of such option, the Real Estate Division and the
14 SFUSD have negotiated such 95% of fair market rental, considering all factors; and,

15 WHEREAS, Such terms for the option are subject to enactment of a resolution by the
16 Board of Supervisors and the Mayor, in their respective sole and absolute direction, approving
17 and authorizing such exercise; now, therefore, be it

18 RESOLVED, That in accordance with the recommendation of the Director of the
19 Department of Human Services and the Director of Property, the Director of Property is
20 hereby authorized to take all actions on behalf of the City and County of San Francisco, as
21 Sublessee, to extend the Sublease (a copy of the original Sublease is on file with the Clerk of
22 the Board) with the San Francisco Unified School District as Sublessor, for the building
23 commonly known as 1235 Mission Street, San Francisco, California, for the area of
24
25

1 approximately 117,826 sq. ft. of building area plus parking areas (the "Premises") on the
2 terms and conditions set forth herein, and on a form approved by the City Attorney; and, be it

3 FURTHER RESOLVED, That the Sublease extension shall be for a term of 5 years at
4 a monthly rental of \$154,691, (approximately \$15.75 per sq. ft. annually). City shall continue
5 to pay for separately metered utilities, janitorial services, building maintenance and repairs,
6 and other operating expenses; and, be it

7 FURTHER RESOLVED, That the Sublease shall continue to include the lease clause,
8 indemnifying, holding harmless, and defending Sublessor 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 material
11 obligations under the Sublease, or any negligent acts or omissions of the City or its agents, in,
12 on, or about the Premises or the property on which the Premises are located, excluding those
13 claims, costs and expenses incurred as a result of the negligence or willful misconduct of the
14 Sublessor 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 Sublease are 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 Sublease (including, without
19 limitation, the exhibits) that the Director of Property determines, in consultation with the City
20 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially
21 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the
22 purposes of the Sublease renewal or this resolution, and are in compliance with all applicable
23 laws, including the City Charter; and, be it

24 FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term
25 of the Sublease unless funds for the Department of Human Services' rental payments are not

1 appropriated in any subsequent fiscal year at which time the City may terminate the Sublease
2 with advance notice to Sublessor. Said Sublease shall be subject to certification as to funds
3 by the Controller, pursuant to Section 6.302 of the City Charter.

4
5 \$1,854,292 Available
6 Fund: 1G
7 Subfund: AAA
8 Index Code: 45ADOH
9 Character: 021
10 Subobject: 03011

11 
12 _____
13 Controller

14 Subject to the enactment of the Annual Appropriation
15 Ordinance for Fiscal Year 2003/2004.

16 **RECOMMENDED:**

17 
18 _____
19 Department of Human Services

20 
21 _____
22 Director of Property
23 Real Estate Division



City and County of San Francisco

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

Tails

Resolution

File Number: 030780

Date Passed:

Resolution authorizing a Sublease renewal of approximately 117,826 square feet of space at 1235 Mission Street for the Department of Human Services.

June 10, 2003 Board of Supervisors — CONTINUED

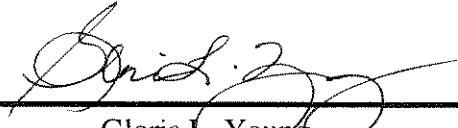
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval

June 17, 2003 Board of Supervisors — ADOPTED

Ayes: 6 - Dufty, Gonzalez, Hall, Newsom, Peskin, Sandoval
Noes: 4 - Ammiano, Daly, Ma, Maxwell
Excused: 1 - McGoldrick

File No. 030780

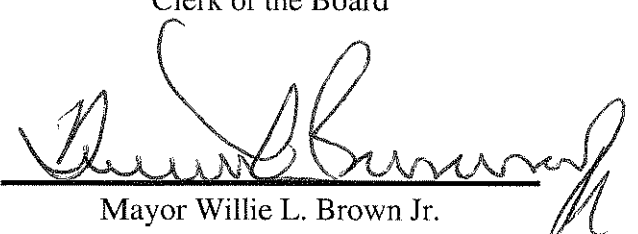
I hereby certify that the foregoing Resolution was ADOPTED on June 17, 2003 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

JUN 27 2003

Date Approved



Mayor Willie L. Brown Jr.