

1 [Lease of Real Property at 160 South Van Ness Avenue]

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3 **Resolution authorizing the Director of Property to exercise an Extension Option for a**  
4 **7-year term for the lease of real property located at 160 South Van Ness Avenue, for**  
5 **the Human Services Agency.**

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7 WHEREAS, The City, on behalf of the Human Services Agency, entered into a lease  
8 for an initial 10-year term with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy  
9 Cohn, as Landlord, for the building comprising approximately 15,000 square feet, with  
10 parking, located at 160 South Van Ness Avenue, which will terminate on 8/31/09; and

11 WHEREAS, An additional 5-year option term was included in the lease agreement  
12 subject to enactment of a resolution by the Board of Supervisors and Mayor, and

13 WHEREAS, The Real Estate Division on behalf of the Human Services Agency  
14 negotiated a 7-year option term commencing 9/1/09 at the fair market monthly rental rate of  
15 \$30,081.33 (\$2.01/s.f.) flat for four years with a fixed adjustment of 2-1/2% for the last three  
16 years, or \$30,833.36 per month (\$2.06/s.f.) for the remaining 3-year period. All other  
17 terms of the lease remain the same; 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, that the Director of Property is  
20 hereby authorized to take all actions, on behalf of the City and County of San Francisco, as  
21 Tenant, to exercise the Extension Option for a 7-year term commencing 9/1/09 and  
22 terminating 8/31/16 and other related documents with the Landlord for the Building at 160  
23 South Van Ness Avenue, San Francisco, on the terms and conditions herein, and, be it

1 FURTHER RESOLVED, That commencing 9/1/09 the monthly rent for the 7-year  
2 option term shall be \$30,081.33 (\$2.01/s.f.) for the first four years of the option term and  
3 \$30,833.36 (\$2.06/s.f.) for the remaining three years of the option term; and, be it

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

12 FURTHER RESOLVED, That any action taken by any City employee or official with  
13 respect to the exercise of the option provision contained in the lease is hereby ratified and  
14 affirmed.

15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
16 Property to enter into any amendments or modifications to the Lease (including without  
17 limitation, the exhibits) that the Director of Property determines, in consultation with the City  
18 Attorney, are in the best interest of the City, do not increase the rent or otherwise materially  
19 increase the obligations or liabilities of the City, are necessary or advisable to effectuate the  
20 purposes of the lease or this resolution, and are in compliance with all applicable laws,  
21 including City's Charter; and, be it

22 FURTHER RESOLVED, That City shall occupy said Building for the 7-year option  
23 term commencing September 1, 2009, and expiring on August 31, 2016, unless funds for  
24 rental payments are not appropriated in any subsequent fiscal year, at which time City may  
25

1 terminate this lease with written notice to Landlord, pursuant to Section 3.105 of the  
2 Charter of the City and County of San Francisco.

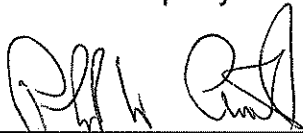
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5 RECOMMENDED:

\$300,813.30 Available  
Index No. 45 ADOH, Subobject 03011

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8 Director of Property

  
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Controller

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10 Human Services Agency

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City and County of San Francisco

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

Tails  
Resolution

File Number: 090786

Date Passed:

Resolution authorizing the Director of Property to exercise an extension option for a 7-year term for the lease of real property located at 160 South Van Ness Avenue, San Francisco, for the Human Services Agency.

July 21, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090786

I hereby certify that the foregoing Resolution was ADOPTED on July 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

7/27/09

Date Approved

Mayor Gavin Newsom