

FILE NO. 090766

1 [1975-1999 Bryant Street Lease Amendment]

2
3 **Resolution authorizing, retroactively, a Lease Amendment to extend the term for five**
4 **years for real property at 1975-1999 Bryant Street for the San Francisco Municipal**
5 **Transportation Agency.**

6
7 WHEREAS, The City, for the Department of Parking and Traffic ("DPT"), entered into a
8 lease of approximately 21,162 square feet of industrial area at 1975-1999 Bryant Street,
9 which commenced on July 1, 1999 (the "Lease"); and,

10 WHEREAS, On July 1, 2002 the DPT became a part of the Municipal Transportation
11 Agency ("SFMTA") through consolidation; and,

12 WHEREAS, The City's Real Estate Division negotiated a five year extension of the
13 Lease at fair market value, with a City right of termination at any time after two years; now,
14 therefore, be it

15 RESOLVED, That in accordance with the recommendation of the Executive Director of
16 the SFMTA and the Director of Property, that the Board of Supervisors approves,
17 retroactively, the Lease amendment extending the term for five years in substantially the form
18 on file with the Clerk of the Board in File No. 090766 (the "Amendment"), authorizes,
19 retroactively, the Director of Property to execute the Amendment, and authorizes,
20 retroactively, City staff to take all actions on behalf of the City to perform the City's obligations
21 and exercise the City's rights under the Lease as amended by the Amendment; and, be it

22 FURTHER RESOLVED, The City's Director of Property and the MTA Executive
23 Director may terminate the Lease by providing the Landlord with 180 day's advance written
24 notice, which notice may not be served before January 1, 2011; and, be it

1 FURTHER RESOLVED, That the monthly base rent for the Lease will be \$0.85 per
2 square foot per month (\$17,987.70), or \$215,852.40 per year, for the first two years.
3 Commencing on July 1, 2011, the base rent shall be increased by 3% to \$18,527.33 per
4 month; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors authorizes, retroactively, the
6 Director of Property to enter into any amendments or modifications to the Lease that the
7 Director of Property determines, in consultation with the City Attorney and the Executive
8 Director of the SFMTA, are in the best interest of the City, do not increase the rent or
9 materially increase the obligations or liabilities of the City or materially reduce the benefits to
10 the City, are necessary or advisable to effectuate the purposes of the Lease or this resolution,
11 and are in compliance with all applicable laws, including City's Charter; and, be it

12 FURTHER RESOLVED, As set forth in the Lease, the City shall have the right to
13 terminate the Lease pursuant to Section 3.105 of the Charter in the event rental payments are
14 not appropriated in any fiscal year; and, be it

15 FURTHER RESOLVED, That any action taken by any City employee or official with
16 respect to this Lease, as amended by the Amendment, is hereby ratified and affirmed.

17
18 RECOMMENDED:

\$215,852.40 Available
Index No. PTC045NGTF05,
Sub Object. 03011

19
20
21 (See File for Signature)

(See File for Signature)

22 Amy Brown
23 Director of Property

Ben Rosenfield
Controller



City and County of San Francisco

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

Tails
Resolution

File Number: 090766

Date Passed:

Resolution authorizing, retroactively, a Lease Amendment to extend the term for five years for real property at 1975-1999 Bryant Street for the San Francisco Municipal Transportation Agency.

July 21, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar,
Maxwell, Mirkarimi
Absent: 1 - Daly

File No. 090766

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