[Lease of Real Property]

AUTHORIZING A LEASE AT 30 VAN NESS FOR THE DEPARTMENT OF PUBLIC HEALTH'S CHILDREN, YOUTH AND FAMILIES SECTION.

RESOLVED, That in accordance with the recommendation of the Director of the Department of Public Health and the Director of Property, the Mayor, the Clerk of the Board of Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of the City and County of San Francisco, as Tenant, to execute a written lease and other related documents with Herbst Foundation, as Landlord, for second floor space at 30 Van Ness Avenue, San Francisco, California, which comprises an approximate area of 19,700± square feet for the Dept. of Public Health's Children, Youth and Families Section on the terms and conditions contained herein and on a form approved by the City Attorney; and.

be it

FURTHER RESOLVED, That the lease shall commence upon substantial completion of tenant improvements (expected to be about March 1, 2000) and terminate February 28, 2005. The monthly rent including all services for the term shall be $44,325. The lease includes two options of five years each to extend the term. The City will pay its pro rata share of typical operating expense increases over a 2000 base year. The Landlord will provide tenant improvements pursuant to City's specification up to a maximum of $472,800±. City shall pay for typical tenant costs, including but not limited to, telephone, data, specialty items, furniture, and moving costs; and, be it

FURTHER RESOLVED, That the lease may include an appropriate clause (in a form approved by the City Attorney), indemnifying and holding harmless the Landlord, from and agreeing to defend the
Landlord against any and all claims, costs and expenses, including, without limitation, reasonable attorney’s fees, incurred as a result of City’s use of the premises, any default by the City in the performance of any of its obligations under the lease, or any acts or omissions of City or its agents, in, on or about the premises or the property on which the premises are located, excluding those claims, costs and expenses incurred as a result of the active negligence or willful misconduct of Landlord or its agents; and be it

FURTHER RESOLVED, That the lease shall be subject to and conditioned upon, the Human Rights Commission's approval of Landlord's compliance with City's Non-Discrimination and Equal Benefits in Employment Ordinance; and, be it

FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with respect to such lease are hereby approved, confirmed and ratified; and, be it

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

FURTHER RESOLVED, That the Board of Supervisors acknowledges that 680 8th Street is the current location of the Department of Public Health's Children, Youth and Families Section and that this program is currently occupying such space on a month-to-month tenancy and authorizes payment
(if required) in the amount of $33,150 for rent through January 31, 2000, $44,625 per month through March 31, 2000 and $66,937.50 per month thereafter.

Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 6.302 of the Charter.

RECOMMENDED:

Director
Department of Public Health

[Signature]

Director of Property

[Signature]

$ Available
Appropriation No. 1G-AGF-AAA
HCHPADMINGF & HCHPMCCSPGGF 03011

[Signature]

Controller
Resolution authorizing a lease at 30 Van Ness for the Department of Health's Children Youth and Families Section.

January 18, 2000  Board of Supervisors — ADOPTED
Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Katz
I hereby certify that the foregoing Resolution was ADOPTED on January 18, 2000 by the Board of Supervisors of the City and County of San Francisco.

Jean Lum
Acting Clerk of the Board

Date Approved

1/26/00

Mayor Willie L. Brown Jr.