

1 [Lease of Real Property]

2 AUTHORIZING A LEASE AT 1212 MARKET STREET FOR THE DEPARTMENT OF THE
3 ENVIRONMENT AND ACCEPTING DONATIONS OF MATERIALS AND SERVICES.

4 RESOLVED, That in accordance with the recommendation of the Director of the Department
5 of the Environment and the Director of Property, the Mayor, the Clerk of the Board of Supervisors and
6 the Director of Property are hereby authorized to take all actions, on behalf of the City and County of
7 San Francisco, as Tenant, to execute a written lease (copy of which is on file with the Clerk of the
8 Board) and other related documents with the Yully Company, LLC, as Landlord, for basement, ground
9 and 1st floor space in the building commonly known as 1212 Market St., San Francisco, California,
10 which comprises a retail and office area of approximately 3,763 square feet and bike storage area of
11 approximately 500 square feet on the terms and conditions contained herein and on a form approved by
12 the City Attorney; and, be it
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14

15 FURTHER RESOLVED, The lease shall commence upon substantial completion of tenant
16 improvements (expected to be about June 1, 2000) and terminate July 31, 2004. The City shall have a
17 one (1) year option to extend the term. The monthly rent for the entire initial term shall be \$10,536.10
18 The City shall also reimburse Landlord for typical retail area costs not expected to exceed \$1000 per
19 month. The City shall pay the Landlord an amount not to exceed \$20,000 for the construction of tenant
20 improvements. The City will pay other typical tenant costs including any operating expense increases,
21 based on increases in the BOMA Exchange Report; and, be it
22

23 FURTHER RESOLVED, That the lease may include an appropriate clause (in a form approved
24 by the Director of Property and the City Attorney), indemnifying and holding harmless the Landlord,
25 (REAL ESTATE)

1 from and agreeing to defend the Landlord against any and all claims, costs and expenses, including,
2 without limitation, reasonable attorney's fees, incurred as a result of City's use of the premises, any
3 default by the City in the performance of any of its obligations under the lease, or any acts or omissions
4 of City or its agents, in, on or about the premises or the property on which the premises are located,
5 excluding those claims, costs and expenses incurred as a result of the active negligence or willful
6 misconduct of Landlord or its agents; and be it
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8 FURTHER RESOLVED, That the lease shall be subject to and conditioned upon, the Human
9 Rights Commission's approval of Landlord's compliance with City's Non-Discrimination and Equal
10 Benefits in Employment Ordinance; and, be it
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12 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City with
13 respect to such lease are hereby approved, confirmed and ratified; and, be it
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15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to
16 enter into any amendments or modifications to the Lease (including without limitation, the exhibits) that
17 the Director of Property determines, in consultation with the City Attorney, are in the best interest of
18 the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the
19 City, are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in
20 compliance with all applicable laws, including City's Charter.

21 FURTHER RESOLVED, That the City shall occupy the Premises for the entire term of the
22 lease unless funds for Department of the Environment rental payments are not appropriated in any
23 subsequent fiscal year at which time City may terminate the lease with 90 days advance written notice to
24 Landlord.
25

1 Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section
2 6.302 of the Charter.

3 FURTHER RESOLVED, That the Department of the Environment shall accept all desired
4 donations of materials and services from various vendors for use in the construction of the Tenant
5 Improvements or in the display of environmentally friendly products.
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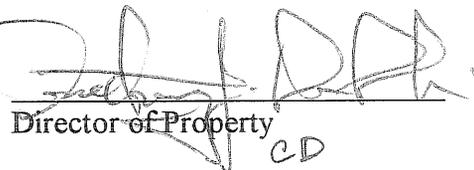
7
8 **RECOMMENDED:**

\$31,181.75 Available
Appropriation No.
Fund: 1GAGFAAA
Index: 220001
Sub-object: 0300

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10 
11 _____
12 Director
13 Department of the Environment



Controller

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14 _____
15 Director of Property
16 CD

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24 Cdunn\WP\5151\Resolution2
25



City and County of San Francisco

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

Tails

Resolution

File Number: 000613

Date Passed:

Resolution authorizing a lease at 1212 Market Street for the Department of the Environment and accepting donations of materials and services.

May 1, 2000 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Yaki,

Yee

Absent: 2 - Katz, Teng

File No. 000613

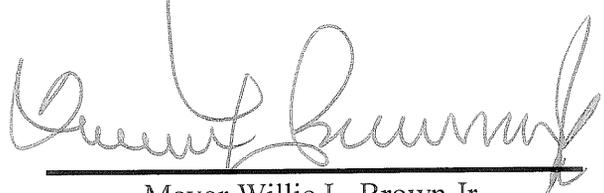
I hereby certify that the foregoing Resolution was ADOPTED on May 1, 2000 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAY 12 2000

Date Approved



Mayor Willie L. Brown Jr.