

1 (Lease of Real Property)

2 **AUTHORIZING A LEASE OF 2998 SQ FT AT 30 VAN NESS FOR THE ETHICS**
3 **COMMISSION.**

4 RESOLVED, That in accordance with the recommendation of the Executive Director of
5 the Ethics Commission and the Director of Property, the Mayor, the Clerk of the Board of
6 Supervisors and the Director of Property are hereby authorized to take all actions, on behalf of
7 the City and County of San Francisco, as Tenant, to execute a written lease and other related
8 documents with Herbst Foundation, as Landlord, for third floor space in the building commonly
9 known as 30 Van Ness Avenue, San Francisco, California, which comprises an approximate area
10 of 2,998 square feet on the terms and conditions contained herein and substantially in the form
11 on file with Clerk of the Board.
12

13
14 FURTHER RESOLVED, The lease shall commence upon substantial completion of
15 tenant improvements (expected to be about December 1, 2000) and terminate November 30,
16 2005. The City shall have two 5-year options to extend the term. The monthly rent for the term
17 shall be \$7,994.67. The City shall pay the Landlord \$25,000 upon lease commencement for its
18 share of tenant improvements. The City will pay other typical tenant costs including any
19 operating expense increases over a 2000 base year.
20

21 FURTHER RESOLVED, That the lease may include an appropriate clause (in a form
22 approved by the Director of Property and the City Attorney, indemnifying and holding harmless
23 the Landlord, from and agreeing to defend the Landlord against any and all claims, costs and
24 expenses, including, without limitation, reasonable attorney's fees, incurred as a result of City's
25

[REAL ESTATE]

1 use of the premises, any default by the City in the performance of any of its obligations under the
2 lease, or any acts or omissions of City or its agents, in, on or about the premises or the property
3 on which the premises are located, excluding those claims, costs and expenses incurred as a
4 result of the gross negligence or willful misconduct of Landlord or its agents; and be it

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

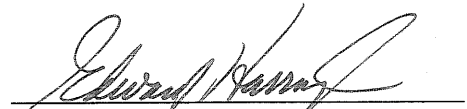
8 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City
9 with respect to such lease are hereby approved, confirmed and ratified.

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

17 FURTHER RESOLVED, That the City shall occupy the Premises for the entire term of
18 the lease unless funds for Ethics Commission rental payments are not appropriated in any
19 subsequent fiscal year at which time City may terminate the lease with advance written notice to
20 Landlord.

21 [REAL ESTATE]
22
23
24
25


\$80,962.69 Available
Appropriation No.
1GAGFAAA 185002
03500



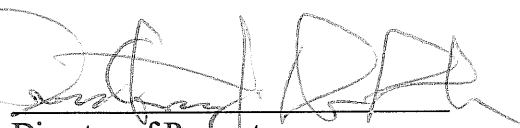
Controller

Subject to funds being approved in
the Annual Appropriation
Ordinance for the 2000-2001 Fiscal
Year

RECOMMENDED:



Executive Director
Ethics Commission



Director of Property
CA

[REAL ESTATE]



City and County of San Francisco

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

Tails
Resolution

File Number: 000850

Date Passed:

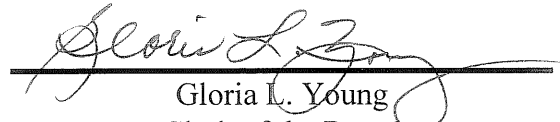
Resolution authorizing a lease of 2998 square feet at 30 Van Ness for the Ethics Commission.

May 22, 2000 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Teng, Yaki, Yee
Absent: 2 - Katz, Newsom


File No. 000850

I hereby certify that the foregoing Resolution
was ADOPTED on May 22, 2000 by the
Board of Supervisors of the City and County
of San Francisco.


Gloria L. Young
Clerk of the Board

JUN - 2 2000

Date Approved


Mayor Willie L. Brown Jr.