

1 (Lease of Real Property)

2 **AUTHORIZING A LEASE RENEWAL FOR APPROXIMATELY THREE FLOORS**  
3 **OF SPACE AT 1390 MARKET STREET FOR THE CITY ATTORNEY FOR A TERM**  
4 **OF SEVEN YEARS.**

5  
6 RESOLVED, That in accordance with the recommendation of the City Attorney and the  
7 Director of Property, the Mayor, the Clerk of the Board of Supervisors and the Director of  
8 Property are hereby authorized to take all actions, on behalf of the City and County of San  
9 Francisco, as Tenant, to execute a written lease and other related documents with Calfox, Inc.,  
10 as Landlord, of approximately 62,814 square feet of space in the building commonly known as  
11 Fox Plaza, 1390 Market St., San Francisco, California, for use by the City Attorney on the terms  
12 and conditions contained herein and substantially in the form on file with the Clerk of the Board;  
13 and be it

14  
15 FURTHER RESOLVED, The lease shall commence upon the expiration of the existing  
16 lease (January 1, 2001) and terminate seven (7) years thereafter (December 31, 2007). The City  
17 shall have a five year option to extend the term. The monthly rent for the term shall be  
18 \$\$231,526.86 (approximately \$3.69 per square foot). Where the leased premises are separately  
19 metered (approximately 48,265 sq ft of the area), the City shall pay for its own electricity. The  
20 City will pay other typical tenant costs including any operating expense increases over a 2000  
21 base year; and be it

22  
23 FURTHER RESOLVED, That the lease may include an appropriate clause (in a form  
24 [REAL ESTATE]

1 approved by the Director of Property and the City Attorney) indemnifying and holding harmless  
2 the Landlord, from and agreeing to defend the Landlord against any and all claims, costs and  
3 expenses, including, without limitation, reasonable attorney's fees, incurred as a result of City's  
4 use of the premises, any default by the City in the performance of any of its obligations under the  
5 lease, or any acts or omissions of City or its agents, in, on or about the premises or the property  
6 on which the premises are located, excluding those claims, costs and expenses incurred as a  
7 result of the gross negligence or willful misconduct of Landlord or its agents; and be it  
8

9 FURTHER RESOLVED, That in connection with the lease at Fox Plaza, the City  
10 Attorney and the Director of Property are hereby authorized to execute on behalf of the City a  
11 license agreement with Marin Day Schools for a licensed infant childcare facility to be provided  
12 on site in a portion of the leased premises consisting of approximately 500 square feet on the  
13 second floor for a license fee of \$1.00 per year in substantially the form on file with the Clerk of  
14 the Board and on other terms and conditions approved by the Director of Property and the City  
15 Attorney; and be it  
16

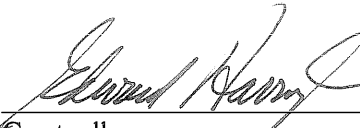
17 FURTHER RESOLVED, That the City shall not be entitled to terminate the Lease  
18 unless funds are not appropriated for any facilities used for the City Attorney in any subsequent  
19 fiscal year; and be it  
20

21 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of  
22 Property to enter into any amendments or modifications to the form of lease and license  
23 agreement on file (including without limitation, the exhibits) that the Director of Property  
24 determines, in consultation with the City Attorney, are in the best interest of the City, do not  
25

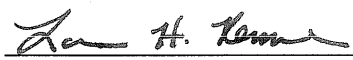
1 increase the rent or otherwise materially increase the obligations or liabilities of the City, are  
2 necessary or advisable to effectuate the purposes of the lease, the license or this resolution, and  
3 are in compliance with all applicable laws, including City's Charter; and be it


4 FURTHER RESOLVED, That all actions heretofore taken by the officers of the City  
5 with respect to such lease and license agreement are hereby approved, confirmed and ratified.  
6

7  
8 \$\$1,389,161.16 Available  
9 Appropriation No.  
10 IG- AGF-AAA  
11 CAT-CAT01-FC2  
12 035004

13   
14 \_\_\_\_\_  
15 Controller  
16 Subject to funds being approved in  
17 the Annual Appropriation  
18 Ordinance for the 2000-2001 Fiscal  
19 Year

20 RECOMMENDED:

21   
22 \_\_\_\_\_  
23 City Attorney

24   
25 \_\_\_\_\_  
26 Director of Property



# City and County of San Francisco

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

## Tails

### Resolution

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**File Number:** 000851

**Date Passed:**

Resolution authorizing a lease renewal for approximately three floors of space at 1390 Market Street for the City Attorney for a term of seven years.

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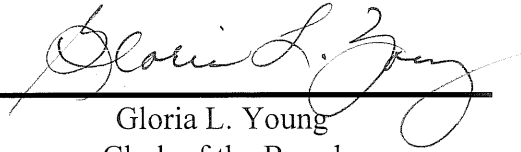
May 30, 2000 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Kaufman, Leno, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Katz

File No. 000851

I hereby certify that the foregoing Resolution  
was ADOPTED on May 30, 2000 by the  
Board of Supervisors of the City and County  
of San Francisco.



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Gloria L. Young  
Clerk of the Board

JUN - 9 2000

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Date Approved



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Mayor Willie L. Brown Jr.