

1 [Lease of real property]

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3 **Resolution authorizing the lease of 11,125 sq. ft. at 30 Van Ness Ave. for the**

4 **Department of Public Health.**

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7 RESOLVED, That in accordance with the recommendation of the Director of the
8 Department of Public Health and the Director of Property, that the Director of Property is
9 hereby authorized to take all actions, on behalf of the City and County of San Francisco, as
10 Tenant, to execute a written lease and other related documents with Herbst Foundation, as
11 Landlord, for second floor space in the building commonly known as 30 Van Ness Avenue,
12 San Francisco, California, which comprises an approximate area of 11,125 square feet on
13 the terms and conditions contained herein and substantially in the form of the lease on file
14 with Clerk of the Board; and, be it
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16 FURTHER RESOLVED, That the lease shall commence upon substantial completion
17 of tenant improvements (expected to be about March 1, 2001) and terminate February 28,
18 2006. The City shall have two 5-year options to extend the term. The monthly rent for the
19 term shall be \$35,229.17. The City shall pay the Landlord \$110,000 upon lease
20 commencement for its share of tenant improvements. The City will pay other typical tenant
21 costs including any operating expense increases over a 2000/2001 base year; and, be it
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23 FURTHER RESOLVED, That the lease may include an appropriate clause (in a form
24 approved by the Director of Property and the City Attorney, indemnifying and holding
25

(REAL ESTATE)

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

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

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

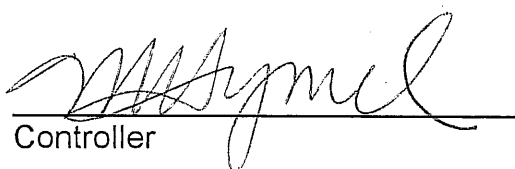
15 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
16 Property to enter into any amendments or modifications to the Lease (including without
17 limitation, the exhibits) that the Director of Property determines, in consultation with the City
18 Attorney, are in the best interest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

23 FURTHER RESOLVED, That the City shall occupy the Premises for the entire term

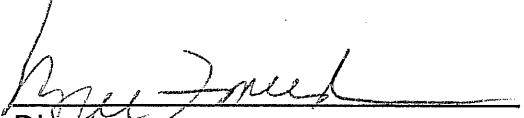
24 **(REAL ESTATE)**

1 of the lease unless funds for Department of Public Health's rental payments are not
2 appropriated in any subsequent fiscal year at which time City may terminate the lease with
3 advance written notice to Landlord.
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6 \$250,918.67 Available
7 Appropriation No.
8 HCHPVADMINGF

9 
Controller

10 RECOMMENDED:

11 
12 Director
13 Department of Public Health

14 
15 Director of Property
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25 (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: 002185

Date Passed:

Resolution authorizing the lease of 11,125 square feet at 30 Van Ness Avenue for the Department of Public Health.

January 22, 2001 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno,
Newsom, Peskin, Yee
Absent: 1 - Sandoval

File No. 002185

I hereby certify that the foregoing Resolution was ADOPTED on January 22, 2001 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 02 2001

Date Approved

Mayor Willie L. Brown Jr.