

1 [Lease of Real Property.]
2

3 **Resolution authorizing a new lease of real property currently occupied by the City**
4 **under the terms of an earlier lease at 1360 Mission Street, San Francisco, for a term of**
5 **three years commencing retroactively as of July 1, 2000 at an initial monthly rent of**
6 **\$8,000 per month for the Employee Assistance Program of the Department of Public**
7 **Health.**

8
9 WHEREAS, The Employee Assistance Program currently occupies 1360 Mission
10 Street, Suite 400 on a month-to-month basis under the holdover provision set forth in a lease
11 that commenced in April 1990 as authorized by Board of Supervisor's Resolution No. 40-90;
12 and

13 WHEREAS, VILO Properties, Inc. (Landlord) has agreed to enter a new lease on the
14 condition that the new lease be retroactive to July 1, 2000; now, therefore, be it

15 RESOLVED, That in accordance with the recommendation of the Director of the
16 Department of Public Health, that the Director of Property, on behalf of the City and County of
17 San Francisco, as Tenant, be and is hereby authorized to execute a lease with VILO
18 Properties, Inc., as Landlord, for a portion of the office building at 1360 Mission Street, San
19 Francisco, comprising a rentable area of approximately 2,911 square feet, for the Employee
20 Assistance Program of the Department of Public Health; and, be it

21 FURTHER RESOLVED, That upon approval of this Resolution by City's Mayor and
22 Board of Supervisors, the lease shall commence retroactively as of July 1, 2000, and shall
23 end June 30, 2003. City shall have an option to extend the term for two additional periods of
24 three (3) years each at ninety-five percent (95%) of the fair market rental.
25

1 It is understood that, subject to Landlord's right to terminate, City shall occupy said
2 premises for the entire lease term expiring June 30, 2009, if both options to extend the term
3 are exercised, unless funds for rental payments are not appropriated in any subsequent fiscal
4 year, at which time City may terminate this lease with advance notice to Landlord; and, be it

5 FURTHER RESOLVED, That the base rent shall be \$8,000 per month, with Landlord
6 paying for all services to the building. During the initial term, the base rent of \$8,000 shall
7 increase annually by an amount equal to 5% of the base rent of the previous year.

8 Landlord shall agree to complete, at its sole cost and expense, certain alterations and
9 improvements duly and properly required in writing; and, be it

10 FURTHER RESOLVED, That at any time after September 30, 2002, by giving 270
11 days written notice to the City, the landlord shall have the right to terminate the lease,
12 including any extended term; and, be it

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

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

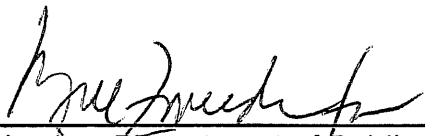
1 FURTHER RESOLVED, That all actions heretofore taken by the officers of the
2 City with respect to such lease are hereby approved, confirmed and ratified; and, be it


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

10 FURTHER RESOLVED, That said Lease shall be subject to certification of funds by
11 the Controller pursuant to Section 6.302 of the Charter; and, be it

12 FURTHER RESOLVED, That the City Attorney shall approve the form of the Lease
13 and any related documents.

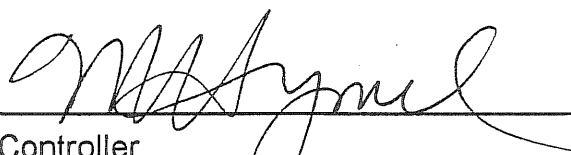
14 RECOMMENDED:

15 
16 _____
17 Director, Department of Public Health

18 
19 _____
20 Director of Property

21 CERTIFICATION OF FUNDS

22 \$96,000.00 Available from 1G-AGF-AAA HCHSEEPGGF 03011

23 
24 _____
25 Controller

(REAL ESTATE)
BOARD OF SUPERVISORS



City and County of San Francisco

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

Tails Resolution

File Number: 010146

Date Passed:

Resolution authorizing a new lease of real property currently occupied by the City under the terms of an earlier lease at 1360 Mission Street, San Francisco, for a term of three years commencing retroactively as of July 1, 2000 at an initial monthly rent of \$8,000 per month for the Employee Assistance Program of the Department of Public Health.

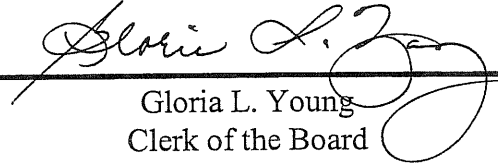
April 2, 2001 Board of Supervisors — SEVERED FROM CONSENT AGENDA

April 2, 2001 Board of Supervisors — ADOPTED

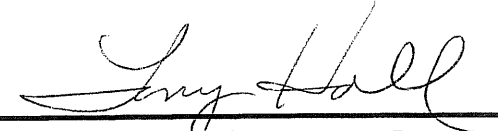
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick,
Newsom, Peskin, Sandoval, Yee

File No. 010146

I hereby certify that the foregoing Resolution was ADOPTED on April 2, 2001 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

APR 13 2001
Date Approved


Mayor Willie L. Brown Jr.