[Lease of Real Property]

Resolution authorizing a lease of approximately 13,706 square feet of space at 1650 Mission Street for the Department of Building Inspection for a term of five years.

BE IT RESOLVED, That in accordance with the recommendation of the Director of the Department of Building Inspection and the Director of Property, the Director of Property is hereby authorized to take all actions on behalf of the City and County of San Francisco, as tenant, to execute a written lease (the "Lease") (a copy of which is on file with the Clerk of the Board) and other related documents with G&I Mission, LLC ("Landlord"), for Suites 302 and 312 of the building commonly known as 1650 Mission Street, San Francisco, California, which comprises an area of approximately 13,706 sq. ft. (the "Premises") on the terms and conditions set forth herein, and on a form approved by the City Attorney; and, be it

FURTHER RESOLVED, That the Lease shall commence upon the later of (i) exchange of a mutually executed agreement, or (ii) August 1, 2003, whichever is later and terminate July 31, 2008 (an initial term of five years). The monthly rent shall be $34,510.36 (approximately $30.24 per square foot per year or $2.52 per square foot per month) and due and payable on the first day of each month for the entire Lease term and shall include an initial allowance of $115,637.50. The Lease shall be fully serviced with the Landlord paying for standard electricity, water, sewer, janitorial services, security services and building maintenance and repairs; and, be it

FURTHER RESOLVED, That the City shall have one (1) option to renew the Lease for an additional term of five years at ninety five per cent (95%) of the then fair market rental; and, be it

**Real Estate Division**
BOARD OF SUPERVISORS
FURTHER RESOLVED, That the Lease shall include a clause approved by the City Attorney, indemnifying, holding harmless, and defending Landlord and its agents from and against any and all claims, costs and expenses, including without limitation, reasonable attorneys' fees, incurred as a result of any default by the City in the performance of any of its material obligations under the Lease, or any negligent acts or omissions of the City or its agents, in, on, or about the Premises or the property on which the Premises are located, excluding those claims, costs and expenses incurred as a result of the gross negligence or willful misconduct of the Landlord or its agents; and, be it

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

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of Property to take all actions required to terminate the existing lease at 1650 Mission, dated June 7, 1996, as amended, as it pertains to Suites 302 and 312 and to enter into any amendments or modifications to the Lease (including, without limitation, the exhibits) that the Director of Property determines, in consultation with the City Attorney, are in the best interest of the City, do not increase the rent or otherwise materially increase the obligations or liabilities of the City, are necessary or advisable to effectuate the purposes of the Lease or this resolution, and are in compliance with all applicable laws, including the City Charter; and, be it

FURTHER RESOLVED, That the City shall occupy the entire Premises for the full term of the Lease unless funds for the Department of Building Inspection's rental payments are not appropriated in any subsequent fiscal year at which time the City may terminate the Lease with reasonable advance notice to Landlord. Said Lease shall be subject to certification as to funds by the Controller, pursuant to Section 6.302 of the City Charter.
RECOMMENDED:

Department of Building Inspection

Director of Property Real Estate Division

Controller

Subject to the enactment of the Annual Appropriation Ordinance for FY 2003/2004

$264,292.82 Available
2S/BIF/ANP
DBI/SD/03000 DBIADM / 03000
DBI/INS/03000

**Real Estate Division**
BOARD OF SUPERVISORS
Resolution authorizing a lease of approximately 13,706 square feet of space at 1650 Mission Street for the Department of Building Inspection for a term of five years.

July 15, 2003  Board of Supervisors — ADOPTED
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

File No. 031018

I hereby certify that the foregoing Resolution was ADOPTED on July 15, 2003 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Willie L. Brown Jr.