[Lease of Real Property at 68 12th Street, Suite 200B]

Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007.

WHEREAS, The City, on behalf of the Department of Public Health ("DPH"), entered into a lease (the "Lease") with E & M No. 1 LLC, as Landlord, for the premises comprising 3,507 square feet located at 68 12th Street, Suite 200B; and,

WHEREAS, The initial 5-year term of the Lease commenced on June 15, 2002, and contained a 5-year option term exercisable upon approval by the Board of Supervisors and Mayor; and,

WHEREAS, The initial 5-year term of the Lease expired on June 30, 2007, and City has been holding over under the holdover provision in the Lease while City negotiated with Landlord to reduce the 5-year option term contained in the Lease to 3-years, which Landlord agreed to on January 2, 2008; and,

WHEREAS, The under the Lease provisions, the fair market rental for the option term has been established to $8,293.66 per month for the term retroactive to July 1, 2007; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of DPH and the Director of Property, that the Director of Property is hereby authorized to take all actions, on behalf of the City, to exercise the extension option under the Lease for a three (3) year term commencing retroactively from July 1, 2007, and terminating June 30, 2010, on the terms and conditions herein, and, be it
FURTHER RESOLVED, That the monthly rent of $8,293.66 is approved for the
option term retroactive to July 1, 2007, through June 30, 2010; and, be it

FURTHER RESOLVED, That City agrees to indemnify, defend and hold harmless
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 (a) City's use
of the premises, (b) any default by City in the performance of any of its obligations under
this Lease, or (c) any negligent acts or omissions of City or its agents, in, on or about the
premises or the property; provided, however, City shall not be obligated to indemnify
Landlord or its agents to the extent any claim arises out of the active negligence or willful
misconduct of Landlord or its agents; and, be it

FURTHER RESOLVED, That any action taken by any City employee or official with
respect to the exercise of the extension option as set forth above is hereby ratified and
affirmed; and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
Property 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 City's Charter; and, be it

FURTHER RESOLVED, That City shall occupy the leased premises for the 3-year
option term commencing July 1, 2007, and expiring on June 30, 2010, unless funds for
rental payments are not appropriated in any subsequent fiscal year, at which time City may
terminate the Lease with written notice to Landlord pursuant to Section 3.105 of the Charter
of the City and County of San Francisco.
RECOMMENDED:

[A signature]

Director of Property

Director,
Department of Public Health

$25,383.92 Available
Index No. HCHPEEMSA-GF,
Subobject 03011

Controller
Resolution authorizing the Director of Property to exercise a three-year extension option for a lease of real property located at 68 12th Street, Suite 200B, for the Department of Public Health, Emergency Medical Services, effective retroactively to July 1, 2007.

May 6, 2008 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

File No. 080467

I hereby certify that the foregoing Resolution was ADOPTED on May 6, 2008 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

May 13, 2008

Date Approved