

1 [Sublease of Real Property at 555 Polk Street]

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Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.

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WHEREAS, The Community Justice Center is a multi-partner collaborative project that will provide the Superior Court of California, County of San Francisco and the City and County of San Francisco the ability to address the needs of its clients by linking them to appropriate services; and,

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WHEREAS, The Department of Public Health will be the lead agency and provide the assessment of service needs for Community Justice Center clients; and,

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WHEREAS, The Real Estate Division has negotiated a sublease for 9,000 rentable square feet at 555 Polk Street (the "Premises") which accommodates the requirements of the Community Justice Center to provide services; now, therefore, be it

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RESOLVED, That in accordance with the recommendation of the Director of Health 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 subtenant, to execute a sublease (the "Sublease") with California Culinary Academy, LLC, as sublandlord ("Sublandlord"), for the Premises and a consent to sublease and estoppel certificate (the "Consent") by Mattison Family Trust, as master landlord, countersigned by City and Sublandlord, each substantially in the form on file with the Clerk of the Board of Supervisors in File No.

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080484 ; and, be it

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1 FURTHER RESOLVED, That the term of the Sublease shall be five years with an
2 estimated commencement date of April 1, 2008 and following acceptance by City's Director
3 of Property (the "Commencement Date"); and, be it

4 FURTHER RESOLVED, That the monthly base rent of the Sublease shall be \$16,100
5 per month and such rent shall not be subject to any increases for the remainder of the
6 Sublease term; and, be it

7 FURTHER RESOLVED, That the City shall be responsible for fifty percent (50%) of
8 building operating expenses, including but not limited to utilities, common area maintenance
9 charges, payroll, taxes and insurance, estimated to be \$2,700 per month; and, be it

10 FURTHER RESOLVED, That City shall construct certain leasehold improvements in
11 the Premises at City's sole cost and expense, as more particularly described in the Sublease;
12 and, be it

13 FURTHER RESOLVED, That the Sublease shall include a clause approved by the City
14 Attorney, indemnifying and holding harmless the Sublandlord and Master Landlord from and
15 agreeing to defend the Sublandlord and Master Landlord against any and all claims, costs and
16 expenses, including, without limitation, reasonable attorney's fees, incurred as a result of
17 City's use of the Premises, any default by the City in the performance of any obligations under
18 the Sublease, any negligent acts or omissions of City or its agents or invitees, in, on or about
19 the Premises or the property on which the Premises are located, excluding those claims,
20 costs and expenses incurred as a result of the active gross negligence or willfull misconduct
21 of Sublandlord or its agents, or any breach of City's representations or warranties under the
22 Sublease; and, be it

23 FURTHER RESOLVED, That the Sublease shall include Sublandlord's transfer of
24 certain personal property located within the Premises to City, as more particularly described in
25 the Sublease; and be it

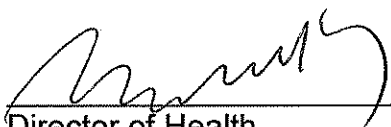
1 FURTHER RESOLVED, That the Consent shall include City's right to cure an event of
2 default by Sublandlord under the master lease and, on making such cure, the automatic
3 termination of the Sublease and City's assumption of Sublandlord's rights and obligations
4 under the master lease; and be it

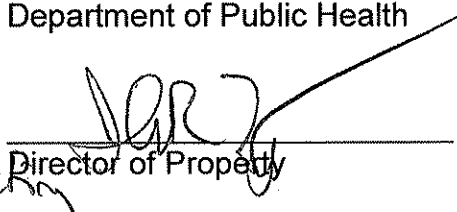
5 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
6 Property to enter into any amendments or modifications to the Sublease or Consent that the
7 Director of Property determines, in consultation with the City Attorney, are in the best interest
8 of the City, do not increase the rent or otherwise materially increase the obligations or
9 liabilities of the City, are necessary or advisable to effectuate the purposes of the Sublease
10 and Consent and are in compliance with all applicable laws, including City's Charter.

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12 \$526,000
13 Index Code:
14 HMMHMLT730416

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16 Controller

17 Recommended:

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19 Director of Health
20 Department of Public Health

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22 Director of Property



City and County of San Francisco

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

Tails

Resolution

File Number: 080484

Date Passed:

Resolution authorizing the sublease of 9,000 square feet of office space in the building located at 555 Polk Street for the Community Justice Center through the Department of Public Health.

May 20, 2008 Board of Supervisors — CALLED FROM COMMITTEE

June 10, 2008 Board of Supervisors — RE-REFERRED: Budget and Finance Committee

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 3 - Alioto-Pier, Chu, Elsbernd

Excused: 1 - Sandoval

July 29, 2008 Board of Supervisors — ADOPTED

Ayes: 8 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

Noes: 2 - Ammiano, Daly

Excused: 1 - Sandoval

File No. 080484

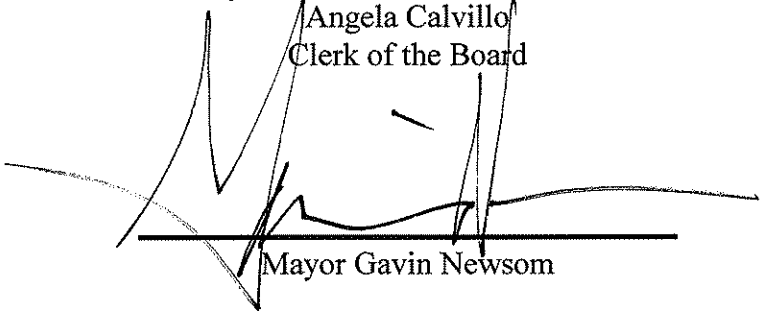
I hereby certify that the foregoing Resolution was ADOPTED on July 29, 2008 by the Board of Supervisors of the City and County of San Francisco.



Angela Calvillo
Clerk of the Board

8-5-08

Date Approved



Mayor Gavin Newsom