Resolution authorizing the Director of Property to exercise an Extension Option for a
7-year term for the lease of real property located at 160 South Van Ness Avenue, for
the Human Services Agency.

WHEREAS, The City, on behalf of the Human Services Agency, entered into a lease
for an initial 10-year term with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy
Cohn, as Landlord, for the building comprising approximately 15,000 square feet, with
parking, located at 160 South Van Ness Avenue, which will terminate on 8/31/09; and
WHEREAS, An additional 5-year option term was included in the lease agreement
subject to enactment of a resolution by the Board of Supervisors and Mayor, and
WHEREAS, The Real Estate Division on behalf of the Human Services Agency
negotiated a 7-year option term commencing 9/1/09 at the fair market monthly rental rate of
$30,081.33 ($2.01/s.f) flat for four years with a fixed adjustment of 2-1/2% for the last three
years, or $30,833.36 per month ($2.06/s.f.) for the remaining 3-year period. All other
terms of the lease remain the same; now, therefore, be it
RESOLVED, That in accordance with the recommendation of the Director of the
Human Services Agency and the Director of Property, that the Director of Property is
hereby authorized to take all actions, on behalf of the City and County of San Francisco, as
Tenant, to exercise the Extension Option for a 7-year term commencing 9/1/09 and
terminating 8/31/16 and other related documents with the Landlord for the Building at 160
South Van Ness Avenue, San Francisco, on the terms and conditions herein, and, be it
FURTHER RESOLVED, That commencing 9/1/09 the monthly rent for the 7-year option term shall be $30,081.33 ($2.01/s.f.) for the first four years of the option term and $30,833.36 ($2.06/s.f.) for the remaining three years of the option term; 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 option provision contained in the lease is hereby ratified and affirmed.

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 said Building for the 7-year option term commencing September 1, 2009, and expiring on August 31, 2016, unless funds for rental payments are not appropriated in any subsequent fiscal year, at which time City may
terminate this lease with written notice to Landlord, pursuant to Section 3.105 of the Charter of the City and County of San Francisco.

RECOMMENDED:

Director of Property

Human Services Agency

$300,813.30 Available
Index No. 45 ADOH, Subobject 03011

Controller
Resolution authorizing the Director of Property to exercise an extension option for a 7-year term for the lease of real property located at 160 South Van Ness Avenue, San Francisco, for the Human Services Agency.

July 21, 2009  Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 090786
I hereby certify that the foregoing Resolution was ADOPTED on July 21, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved 7/27/09
Mayor Gavin Newsom