Resolution authorizing the amendment of an existing lease at 160 South Van Ness Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, for the Human Services Agency to provide a construction allowance and extend the lease term.

WHEREAS, The Investigations Division of the Human Services Agency (HSA) provides important City functions including internal investigations, quality control of payments and collections, providing program integrity in all HSA programs, and making sure that HSA services are available to those whom are eligible; and

WHEREAS, HSA's Investigations Division, during Fiscal Year 2010/2011, prevented an estimated $1.7 Million dollars from being fraudulently expended and the Investigations Division collected another $2 Million dollars in overpayments; and

WHEREAS, The Investigations Division manages some of the Department's most sensitive issues - ranging from the investigation of deaths of dependent children to criminal investigations; and

WHEREAS, The Investigations Division does internal investigations of the Agency to prevent employee embezzlement, fraud and other schemes. And similar to the Office of Citizen Complaints for the San Francisco Police Department and Investigative Services Unit for the Sheriff's Department, for confidentiality HSA's Investigations Division office is external and independent of the main operations of HSA; and

WHEREAS, The Investigations Division has been located at 160 South Van Ness Avenue since 1999; and
WHEREAS, The City and County of San Francisco, as Tenant, and Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn, as Tenants in Common, collectively as Landlord, executed a renewal lease dated July 31, 2009, authorized by Resolution 305-09 and modified by the Second Amendment to Lease authorized by Resolution 506-10 for Premises consisting of approximately 15,000 sq. ft. at the building commonly known as 160 South Van Ness Avenue for the Human Services Agency Investigation Division; and

WHEREAS, The Lease for 160 South Van Ness Ave. expires on August 31, 2017; and

WHEREAS, The Human Services Agency now desires to make modifications to the Premises which, when completed, will provide increased confidentiality for the public and improve employee safety; and

WHEREAS, In these economic times, funding sources for all programs including the proposed improvements are limited; and

WHEREAS, The Landlord is willing to fund the proposed improvement up to a cost of $54,000 in exchange for repaying such sum over an additional 3 year term; and

WHEREAS, An amendment of a lease of real property is subject to enactment of a resolution by the Board of Supervisors and the Mayor, in their respective sole and absolute direction, approving and authorizing such amendment; now, therefore, be it

RESOLVED, That in accordance with the recommendation of the Director of the Human Services Agency 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 amend the lease with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, collectively as Landlord, for the building commonly known as 160 South Van Ness Ave., San Francisco, California (a copy of the lease amendment is on file with the Clerk of the Board of Supervisors in File No. 110985, which is hereby declared to be a part of
this resolution as if set forth fully herein) and on a form approved by the City Attorney; and, be it

FURTHER RESOLVED, That the Lease Amendment for 160 South Van Ness Ave. shall provide the City with a construction allowance of $54,000 and extend the term of the Lease from August 31, 2017 to August 31, 2020 (a 3 year extension) at the monthly rent of $30,800; and, be it

FURTHER RESOLVED, That the Lease shall continue to include the lease clause, 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 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 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 Amendment is hereby approved, confirmed and ratified; 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 Amendment (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 continue to occupy the entire Premises for the full term of the Lease unless funds for rental payments are not appropriated in any
subsequent fiscal year at which time the City may terminate the Lease with 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; and, be it

FURTHER RESOLVED. That the Human Services Agency shall not be responsible for
any costs, to the lessor, above the estimated cost of $54,000.

RECOMMENDED:

[Signature]
Human Services Agency

[Signature]
Acting Director of Property
Real Estate Division
Resolution authorizing the amendment of an existing lease at 160 South Van Ness Avenue, with Stuart B. and Myrna J. Aronoff Revocable Trust and Trudy Cohn as Tenants in Common, for the Human Services Agency to provide a construction allowance and extend the lease term.

October 05, 2011 Budget and Finance Committee - AMENDED

October 05, 2011 Budget and Finance Committee - RECOMMENDED AS AMENDED

October 18, 2011 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 110985

I hereby certify that the foregoing Resolution was ADOPTED on 10/18/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

Date Approved