Resolution finding that 20,000 net rentable square feet is suitable and sufficient for the Law Library; authorizing the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; finding that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, cannot be finalized.

WHEREAS, State Law and the City's Charter require the City to provide the San Francisco Law Library ("Law Library"), a legal entity separate from the City, with suitable and sufficient quarters; and

WHEREAS, State law, 1869-70 Cal. Stat. 235 (the "1870 Act"), requires the City to provide the Law Library with "fuel, lights, and stationery and all necessary conveniences and care, rooms convenient and accessible to the Courts, sufficient for the use and accommodation of said law library and those who have occasion for its use;"; and

WHEREAS, The 1870 Act further states that: "the Board of Supervisors of the City and County of San Francisco are hereby authorized, empowered and required to appropriate, allow and order paid out of the General Fund such sums as may be necessary" for the above purposes; and

WHEREAS, Section 8.103 of the City's Charter requires the City to "provide suitable and sufficient quarters for the Law Library, fix up and furnish the same and provide for the supply of necessary light, heat, stationery and other conveniences" and to fund the salaries of three positions at the Law Library (the Librarian, Assistant Librarian and Bookbinder); and

Mayor Lee
BOARD OF SUPERVISORS
WHEREAS, Since 1995, the City has provided the Law Library with approximately
14,310 square feet of space at 401 Van Ness Avenue, the War Memorial Veterans Building, under a Memorandum of Understanding between the War Memorial Board of Trustees and Director of Property, dated as of October 26, 1994; and
WHEREAS, The War Memorial Veterans Building will undergo a significant renovation starting in the summer of 2013, requiring the vacation of the entire building; and
WHEREAS, The War Memorial Board of Trustees, authorized to determine the occupancies of the War Memorial Veterans Building, will not provide space to the Law Library after the completion of the renovation; and
WHEREAS, Following a lengthy search process, the Director of Property has found suitable and sufficient space for the Law Library at 1200 Van Ness Avenue, owned by Van Ness Post Center, LLC ("Landlord"), convenient and accessible to the Civic Center courts and immediately proximate to transit and garage parking; and
WHEREAS, The City has determined that the 20,000 net rentable square feet at 1200 Van Ness Avenue is suitable and sufficient for the Law Library, and desires to secure these premises for the Law Library as soon as possible; and
WHEREAS, In connection with any such relocation, the City will be required to pay for tenant improvements, presently estimated not to exceed $1,000,000; and
WHEREAS, The Director of Property must negotiate a final lease agreement with Landlord to relocate the Law Library; and
WHEREAS, The Planning Department determined that the proposed relocation of the Law Library to 1200 Van Ness Avenue is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; now, therefore, be it
RESOLVED, That the Board of Supervisors finds that the proposed lease premises at 1200 Van Ness Avenue, of no greater than 20,000 net rentable square feet, is suitable and
sufficient for the Law Library, and is consistent with the City's General Plan and the Eight
Priority Policies of Planning Code Section 101.1; and, be it

FURTHER RESOLVED, That in accordance with the recommendation of the Director
of Property, the Board of Supervisors hereby authorizes the Director of Property to enter into
a lease for the Law Library at 1200 Van Ness Avenue on the following terms (the “Lease”): (1)
the leased premises shall be up to 20,000 square feet on the ground floor and first floor of the
building, (2) for a term of five years, with one five-year option to renew the term at reasonable
rates determined by the Director of Property, (3) at an initial year base rental rate not to
exceed $720,000 per year (or approximately $3.00 per foot), with reasonable base rent
increases in future years tied to increases in the Consumer Price Index, (4) the landlord will
provide, at the City’s cost, tenant improvements for the leased premises suitable for a law
library, at an agreed upon cost (provided, the City’s payment for tenant improvements and
relocation shall not collectively exceed $1,000,000), (5) City shall pay utilities, common area
charges and its reasonable share of operating expenses, and (6) on such other terms and
conditions as determined by the Director of Property following consultation with the City
Attorney; and, be it

FURTHER RESOLVED, Following negotiations for the Lease, the Director of Property
is authorized to enter into and take such actions as required to implement the Lease, and the
Director of Property shall provide the final Lease to the Clerk of the Board of Supervisors for
placement into the legislative file; and, be it

FURTHER RESOLVED, That any lease modification that exercises the right of first
offer for additional space at 1200 Van Ness Avenue shall require approval by the Board of
Supervisors; and, be it

FURTHER RESOLVED, In the event that that the negotiations for the Lease of 1200
Van Ness Avenue are unsuccessful, the Board of Supervisors also approves and authorizes
the Director of Property, on behalf of the City to negotiate a lease for a comparable space of
similar size and rent for the Law Library that does not exceed the
amounts specified in this resolution and consistent with the other terms specified in this
resolution, and to bring such alternative lease promptly to this Board for review and approval;
and, be it

FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of
Property, in consultation with the City Attorney, to enter into any additions, amendments or
other modifications to the Lease that the Director of Property determines are in the best
interests of the City, do not materially increase the obligations or liabilities of the City or
materially decrease the benefits to the City, and are in compliance with all applicable laws,
including the City's Charter.

RECOMMENDED:

[Signature]

Director of Property
Resolution finding that 20,000 net rentable square feet is suitable and sufficient for the Law Library; authorizing the Director of Property to enter into a lease with Van Ness Post Center, LLC, for the Law Library at 1200 Van Ness Avenue; finding that the proposed relocation of the Law Library to such space is in conformance with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing the Director of Property to find alternative comparable space if a lease with Van Ness Post Center, LLC, cannot be finalized.

March 27, 2013 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

March 27, 2013 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

April 02, 2013 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee
Noes: 1 - Campos

I hereby certify that the foregoing Resolution was ADOPTED on 4/2/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved