Resolution retroactively authorizing the sublease of real property of approximately nine years, with an effective date of April 1, 2014, for approximately 6,024 square feet of space at 3450 Third Street, with the San Francisco Child Abuse Prevention Center - Initial Monthly Rent $22,113.10]

Resolution retroactively authorizing the sublease of real property of approximately nine years, with an effective date of April 1, 2014, for approximately 6,024 square feet of space at 3450 Third Street, with the San Francisco Child Abuse Prevention Center, a California nonprofit corporation, as sublessor, for use by the Children's Advocacy Center of San Francisco through the Human Services Agency, at the initial monthly rent of $22,113.10 for the period from April 1, 2014, through March 31, 2015.

WHEREAS, The Children's Advocacy Center of San Francisco (CAC) is a multi-party collaborative project that will provide a coordinated response to an abused child to ensure that all aspects of a child's physical, mental and emotional health are addressed; and

WHEREAS, The Human Services Agency will be the lead agency and work collaboratively to provide services to the CAC with the San Francisco Child Abuse Prevention Center (SFCAPC), a California nonprofit corporation, the Office of the City Attorney, the Office of the District Attorney, the Police Department, and the Department of Public Health; and

WHEREAS, The SFCAPC entered into a Master Lease with 1238 Sutter Street, LLC (Master Landlord), for real property located at 3450 Third Street for the CAC, with space to be used by the City, California Pacific Medical Center's Bayview Child Health Center and the Center for Youth Wellness, which are both nonprofit corporations; and

WHEREAS, The Real Estate Division at the request of the Human Services Agency has negotiated a sublease for approximately 6,024 rentable square feet at 3450 Third Street (the Premises) for a term of approximately nine years commencing retroactively on April 1, 2014, and terminating on March 26, 2023, to accommodate the CAC's multi-agency staff and allow coordinated services to be provided to CAC clients in a confidential and supportive

Mayor Lee; Supervisor Cohen
BOARD OF SUPERVISORS
environment, which sublease will be substantially in the form on file with the Clerk of the
Board of Supervisors in File No. 140560 and is incorporated herein by reference (Sublease);
and

WHEREAS, The fully serviced fair market rent for the first sublease year shall be
$22,113.10 subject to yearly escalation rates of 3%, with City paying its pro rata share of any
increased operating expenses; and

WHEREAS, The turn key facility will provide sufficient private offices required for
confidential meetings, forensic interview space, multidisciplinary case conferences, training
and peer review, medical exam rooms, mental health evaluations, and conference rooms for
use as training as well as staff meetings, including required technology and clinical sound
proofing; and,

WHEREAS, City staff will be able to utilize the childcare facility for clients and
additional large training and conference spaces throughout the building and have access to
eight parking spaces under the Sublease; now, therefore be it

RESOLVED, That the Board of Supervisors authorizes the Director of Property to take
all actions, on behalf of the City, to enter into the Sublease and any amendments or
modifications (including without limitation, the exhibits) to the Sublease on the terms and
conditions herein and form approved by the City Attorney 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 Sublease or this resolution, and are
in compliance with all applicable laws, including City’s Charter; and, be it

FURTHER RESOLVED, That the fully-serviced base monthly rental for the term shall
be $22,113.10 subject to annual escalation of 3%, with City paying its pro rata share of
increased operating expenses and applicable parking taxes; and be it
FURTHER RESOLVED, That the Sublease for the Premises shall be for a term of approximately nine years commencing retroactively April 1, 2014, and terminating on March 26, 2023, subject to City's right to terminate the Sublease at any time after March 26, 2018, by providing to the SFCAPC one (1) year prior written notice and reimbursement of unamortized tenant improvements as a termination fee as set forth in the Sublease; and, be it

FURTHER RESOLVED, That the Sublease shall include language for City to indemnify, defend and hold harmless the SFCAPC and its directors, supervisors, volunteers, agents, employees, officers and contractors (Indemnified Parties) from and against any and all claims, losses, liabilities, costs, expenses and damages, whether insured against or not, including, without limitation, reasonable attorneys' fees and disbursements and any Master Landlord claims, made against or incurred by any of the Indemnified Parties as a result of (a) City's use of the Premises, (b) any default by City in the performance of any of its material obligations under the Sublease, or (c) any negligent acts or omissions of SFCAPC or its Agents in, on or about the Premises; provided, however, City shall not be obligated to Indemnify any Indemnified Party to the extent any claim arises out of the gross negligence or willful misconduct of an Indemnified Party; and, be it

FURTHER RESOLVED, That any action taken by any City employee or official with respect to the Sublease as set forth herein is hereby ratified and affirmed; and, be it,

FURTHER RESOLVED, That within 30 days of the Sublease being fully executed by all parties the Director of Property shall provide the Sublease to the Clerk of the Board for inclusion in the official file; and, be it

FURTHER RESOLVED, That it is the policy of the Board of Supervisors that all Lease Agreements be submitted to the Board for approval prior to the effective date of the Lease Agreements and prior to occupancy of the premises by City Departments; and, be it
FURTHER RESOLVED, That the City shall have the right to occupy the Premises as

described in the Sublease from April 1, 2014, through March 26, 2023, subject to the

appropriation of sufficient funds to pay for City’s Sublease obligations by the Board of

Supervisors and Mayor in their sole and absolute discretion, and if such funds are not

appropriated in any subsequent fiscal year, City may terminate Sublease at no cost with

written notice to Sublessor.

$66,339.30 Available For FY 2013-2014
Appropriation No. 45FCOH/03011

Controller

RECOMMENDED:

Director of Property

RECOMMENDED:

Director of Human Services Agency

Mayor Lee; Supervisor Cohen
BOARD OF SUPERVISORS
File Number: 140560  Date Passed: June 10, 2014

Resolution retroactively authorizing the sublease of real property of approximately nine years, with an effective date of April 1, 2014, for approximately 6,024 square feet of space at 3450 Third Street, with the San Francisco Child Abuse Prevention Center, a California nonprofit corporation, as sublessee, for use by the Children’s Advocacy Center of San Francisco through the Human Services Agency, at the initial monthly rent of $22,113.10 for the period from April 1, 2014, through March 31, 2015.

June 04, 2014 Budget and Finance Sub-Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

June 04, 2014 Budget and Finance Sub-Committee - RECOMMENDED AS AMENDED

June 10, 2014 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 140560

I hereby certify that the foregoing Resolution was ADOPTED on 6/10/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved: 6/19/14