Resolution authorizing a Sublease for the term of July 1, 2017, through September 30, 2025, at 1440 Harrison Street, with Harrison Assets LLC, a California limited liability company, for approximately 56,788 square feet at $298,137 monthly for a total first year rent of $3,577,644 which amount shall increase annually on each July 1 beginning in 2018 by 3% and three five-year option to extend for use by the City’s Human Services Agency.

WHEREAS, The City’s Human Services Agency (“HSA”) has occupied the entire property commonly known and numbered 1440 Harrison Street for thirty (30) years; and

WHEREAS, 1440 Harrison Street consists of approximately 56,788 square feet, as recently re-measured using BOMA standards, of office and public program space and includes approximately 31 parking stalls; and

WHEREAS, HSA’s Affordable Care Act and Medi-Cal Health Connections site at 1440 Harrison links San Franciscans from all age groups and ethnicities with the appropriate health coverage services available to them; and,

WHEREAS, HSA provides health coverage services to over 195,000 San Franciscans, more than one fifth of the population; and

WHEREAS, Between October 2013 and October 2016, the number of Medi-Cal enrollees rose by 93,367, a 92% increase. The Medi-Cal households (HHs) enrolled rose by 85% (56,377) between Oct 2013 and Oct 2016, to 122,599 households; and

WHEREAS, The site also provides efficient one-stop access to Cal-Fresh (Food Stamps) assistance for families, seniors, and persons with disabilities, and also houses two

Real Estate Division
BOARD OF SUPERVISORS
CAAP programs, CALM and CAPI, which assist aged and disabled who are not eligible for SSI; and

WHEREAS, Harrison Assets LLC, a California limited liability company, as successor in interest, is Master Landlord under a lease with the San Francisco Unified School District; and

WHEREAS, The City's current Sublease at 1440 Harrison Street is scheduled to expire on June 30, 2017; and

WHEREAS, The Real Estate Division has negotiated a new Sublease (the "Sublease") for an extension with the Harrison Assets LLC as Sublessor; and

WHEREAS, The proposed Base Rent under the Sublease was found to be less than Fair Market Rent by an independent MAI appraisal; and

WHEREAS, An Appraisal Review by an independent MAI Appraiser has been completed and recommended; and

WHEREAS, The proposed Sublease 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 Agreement; now, therefore, be it

RESOLVED, In accordance with the recommendation of the Director of the Human Services Agency and the Director of the Real Estate Division, that the Director of Property is hereby authorized on behalf of the City and County of San Francisco as Sublessee, to execute a Sublease, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 161363, for an additional period of approximately 8 years and 3 months on the terms and conditions contain therein with Harrison Assets LLC, a California limited liability company, as Sublessor, except that there shall be three (3) five year options to renew; and, be it
FURTHER RESOLVED, The Agreement shall commence upon July 1, 2017 and expire on September 30, 2025; and, be it

FURTHER RESOLVED, That the Base Rent will be $289,137.00 per month which shall increase annually by 3% on each July 1 beginning July 1, 2018; and, be it

FURTHER RESOLVED, That the City shall continue to pay for its own utilities, janitorial, maintenance, and security; 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 the Board of Supervisors authorizes the Director of Property to enter into any amendments or modifications to the Sublease (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 License or this resolution, and are in compliance with all applicable laws, including City's Charter; and, be it

FURTHER RESOLVED, City shall occupy said premises for the entire lease term 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 Charter, Section 3.105, of the City and County of San Francisco; and, be it
FURTHER RESOLVED, That within thirty (30) days of the Sublease being fully executed by all parties, the Director of Real Estate shall provide a copy of the Sublease to the Clerk of the Board for inclusion into the official file.
$3,577,644.00 Available
(Base Rent 7/1/17 to 6/30/18
Index Code: 45ADOH
Sub Object: 03011

Controller
Subject to the enactment of the 2017/2018
Annual Appropriation Ordinance

RECOMMENDED:

Director
Human Services Agency

Director of Property

Real Estate Division
BOARD OF SUPERVISORS
Resolution authorizing a Sublease for the term of July 1, 2017, through September 30, 2025, at 1440 Harrison Street, with Harrison Assets, LLC, a California limited liability company, for approximately 56,788 square feet at $298,137 monthly for a total first year rent of $3,577,644 which amount shall increase annually on each July 1 beginning in 2018 by 3 percent, and three five-year options to extend, for use by the Human Services Agency.

February 02, 2017 Budget and Finance Committee - AMENDED

February 02, 2017 Budget and Finance Committee - REFERRED WITHOUT RECOMMENDATION AS AMENDED

February 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 161363

I hereby certify that the foregoing Resolution was ADOPTED on 2/14/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved

2/24/2017