

18805

ORDINANCE NUMBER O-_____

ADOPTED ON MAY 15 2000

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A THIRD AMENDMENT TO OFFICE LEASE.

WHEREAS, KOWA Real Estate California, Inc., a California corporation (original landlord), and The City of San Diego (City) entered into an Office Lease dated as of October 17, 1991, filed in the Office of the City Clerk as Document No. OO-17718; as amended by the Amendment to Lease dated as of October 17, 1991, and on file in the Office of the City Clerk as Document No. OO-17718; and further amended by the Second Amendment to Office Lease dated as of September 18, 1997, and on file in the Office of the City Clerk as Document No. RR-289265 (collectively referred to as LEASE). The LEASE covers certain space within the building located at 600 "B" Street, San Diego, California; and

WHEREAS, the Water Department of the City has expanded beyond its currently leased space in the Comerica Building at 600 "B" Street; and

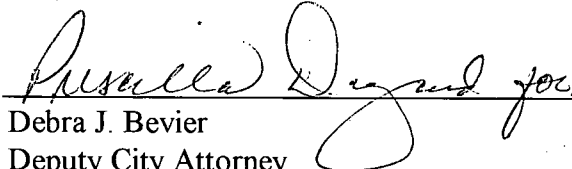
WHEREAS, the City and 400 West Broadway, LLC, a California limited liability company (successor to the original landlord's interest in the LEASE), have negotiated a Third Amendment to the LEASE, providing for the leasing of approximately 13,996 square feet on the 6th Floor of the Comerica Building, at the initial annual rental rate of \$197,506.13, the fair market rate as determined by City valuation staff. The Third Amendment shall be subject to the terms and conditions set forth in the LEASE; and

WHEREAS, the Third Amendment to the LEASE also provides that during the remaining 2.9 years left on the LEASE, the City rescinds its rights to contract out of space and/or terminate space; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, that the City Manager is authorized to execute, for and on behalf of The City of San Diego, a Third Amendment to Office Lease, commencing August 25, 2000, and terminating May 31, 2003, with 400 West Broadway, LLC; a copy of the Third Amendment to Office Lease is on file in the Office of the City Clerk as Document No. OO- **18805**

BE IT FURTHER ORDAINED, that the expenditure of an amount not to exceed \$197,506.13, from Fund 41500 for fiscal year 2001, is hereby authorized, solely and exclusively for the purpose of providing funds for the above project.

APPROVED: CASEY GWINN, City Attorney

By 
Debra J. Bevier
Deputy City Attorney

DJB:lc:cmg
02/22/00
Or.Dept:REA
Aud.Cert:2100001
O-2000-144

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: AC 2100001
 760

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount _____ Fund _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 197,506.13

Vendor 400 West Broadway, LLC

Purpose Authorizing the expenditure of funds for an Office Lease amendment at 600 "B" Street for the Water Department.

Date February 9, 2000

By: *D Mendoya*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	41500	760	880	4682	008800				\$197,506.13
TOTAL AMOUNT										\$197,506.13

FUND OVERRIDE

AC-361 (REV 2-92)

CONTINGENT UPON THE FY2001 APPROPRIATION ORDINANCE APPROVAL AC 2100001

MAY 15 2000 0-18805