

(O-2001-145)

ORDINANCE NUMBER O-18947 (NEW SERIES)

ADOPTED ON JUN 5 2001

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO OFFICE LEASE AGREEMENT WITH 400 WEST BROADWAY, LLC FOR OFFICE SPACE AND CHILD-CARE FACILITY SPACE

WHEREAS, the City's office space needs in the Comerica Bank Building, 600 B Street, has expanded beyond current capacity; and

WHEREAS, during the June 22, 2000, budget deliberations, the City Manager was directed to pursue options for leasing space for a downtown child-care facility for City employees that would be in close proximity to the City Administration Building; and

WHEREAS, the City and 400 West Broadway, LLC, a California limited liability company, have negotiated a Fourth Amendment to Office Lease for space at the Comerica Bank Building; said space to be used as general office space and as a City child-care facility. The total area being leased will be approximately 157,314 square feet. The existing leased space, approximately 114,594 square feet, will be leased at a monthly rental rate of \$1.45 per square foot or \$166,161.30 per month, and the expansion space, approximately 42,720 square feet, will be leased at \$1.60 per square foot or \$68,353.00 per month. The term of the amendment would be for approximately 10 years, with a lease termination date of May 31, 2013; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the City Manager is authorized to execute, for and on behalf of the City of San Diego, a Fourth Amendment to Office Lease with 400 West Broadway, LLC., for the lease of approximately 157,314 square feet, for a total monthly rental rate of \$234,513.30, for a term of approximately 10 years, under the terms and conditions set forth in that Fourth Amendment to Office Lease agreement on file in the office of the City Clerk as Document No. OO- 18947.

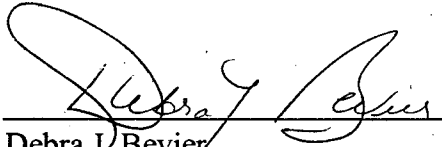
Section 2. That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$5,600.00 from Development Services Fund No. 41300, Department 1300, for rent from the FY 2001 budget.

Section 3. That the City Auditor and Comptroller is authorized to expend an amount not to exceed \$271,150.00 for space costs and data infrastructure costs from General Fund No. 100, Department 601, for rent from the FY 2001 budget.

Section 4. That a full reading of this Ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 5. This Ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: CASEY GWINN, City Attorney

By   
Debra J. Bevier  
Deputy City Attorney

05/11/01  
Or.Dept:REA  
Aud.Cert:  
O-2001-145  
Form=o&t.frm

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO.: AC 2101169  
 601

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 \$ 276,750.00

Vendor 400 West Broadway, LLC

Purpose To authorize the expenditure for rent, space costs and data infrastructure costs from

FY 01 budget.

Date 5/16/01 By: Albert Cuevas

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	41300	1300	1639	4682	117776				\$5,600.00
2	0	100	601	2500	4682	060143				2,711,500.00
TOTAL AMOUNT										\$2,717,100.00

FUND OVERRIDE

AC 2101169