

(O-2003-42)

ORDINANCE NUMBER 0-19122

ADOPTED ON NOV 25 2002

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO  
EXECUTE A FIFTH AMENDMENT TO OFFICE LEASE  
AGREEMENT WITH 400 WEST BROADWAY, LLC FOR  
OFFICE SPACE

WHEREAS, the Community Services Division, currently located on the 5th floor of the City Administration Building, will need to be relocated to 600 B Street, Suite 1440, in order to provide the Planning Department with the expansion space for new employees. The Planning Department currently occupies over 90% of the 5<sup>th</sup> floor of the City Administration Building; therefore, relocating the Community Services staff is the most cost efficient way to solve the Planning Department's need for additional space. In addition, the new space at 600 B Street will be able to also accommodate the IT&C Department and that department's need for expansion space. IT&C is currently occupying space in the Civic Center Plaza Building which is 100% occupied and would not accommodate IT&C's expansion needs; and

WHEREAS, the City and 400 West Broadway, LLC, a California limited liability company, have negotiated a Fifth Amendment to Office Lease for space at 600 B Street, the Comerica Bank Building, for Suite 1440, under the following terms: 1) the new area to be leased will be approximately 2,280 square feet; 2) the space will be used for general office uses; 3) the space will be leased at a monthly rental rate of \$1.60 per square foot or \$3,648.00; and 4) the

term of the amendment will be for approximately 10 years, with a lease termination date of May 31, 2013; and

WHEREAS, the landlord will install new carpet, paint, a divider wall and a dedicated outlet at the landlord's sole cost and expense, estimated to be \$8,500.00; and

WHEREAS, six votes of the City Council are required to adopt this Ordinance pursuant to Section 99 of the City Charter; NOW, THEREFORE,

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

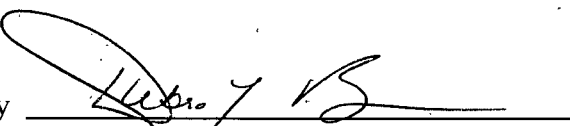
Section 1. That the City Manager is authorized to execute, for and on behalf of the City of San Diego, a Fifth Amendment to Office Lease with 400 West Broadway, LLC., for the lease of approximately 2,280 square feet, for a total monthly rental rate of \$3,648.00, for a term of approximately 10 years, under the terms and conditions set forth in that Fifth Amendment to Office Lease agreement on file in the office of the City Clerk as Document No. OO-19122.

Section 2. That the City Auditor and Comptroller is authorized to expend an additional amount not to exceed \$59,264.00 for space and data infrastructure costs from Fund No. DE#2300032, Line 1, from the FY 2002 Budget.

Section 3. 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 4. 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

DJB:mm  
10/18/02  
Dept:REA  
Job: 222732  
Aud.Cert:2300282  
O-2003-42  
Form=leaseord.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 2300282

ORIGINATING DEPT. NO.: 10404

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: \$59,264.00 Fund: 10404

Purpose: To encumber funds for the ammended rental agreement between the City and Commerce Bank Building, previously encumber in DE2300032.

Date: September 11, 2002

By: *Karin Ralston*  
 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	10404	10404	100	4682	800				\$59,264.00
TOTAL AMOUNT										\$59,264.00
FUND OVERRIDE <input type="checkbox"/>										

**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: \_\_\_\_\_

Vendor: \_\_\_\_\_

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 <input type="checkbox"/>										