

(O-2004-33)

ORDINANCE NUMBER O- 19229 (NEW SERIES)

ADOPTED ON NOV 03 2003

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

WHEREAS, the Wastewater Review Division of Development Services (Wastewater Review) was originally located on the third floor of the office building at 600 B Street. However, to accommodate the requirements of the City's child care facility which now takes up the entire third floor of the building, Wastewater Review was relocated to the 14<sup>th</sup> and 22<sup>nd</sup> floors of the same building and has been occupying its new areas under a month-to-month agreement since its relocation. Recently the landlord has provided consent to add Wastewater Review's space to the City's Master Lease; and

WHEREAS, the City and 400 West Broadway, LLC, a California limited liability company, have negotiated a Seventh Amendment to Office Lease for space at 600 B Street, the Comerica Bank Building, under the following terms: 1) the additional area to be leased is approximately 5,962 square feet; 2) the space will be used for general office uses; 3) the space will be leased at a monthly rental rate of \$1.70 per square foot or \$10,135.40; 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 has refurbished the premises at it's sole costs and expense in an approximate amount of \$36,000.00; 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 Seventh Amendment to Office Lease with 400 West Broadway, LLC., for the lease of approximately 5,962 square feet, for a total monthly rental rate of \$10,135.40, for a term of approximately 10 years, under the terms and conditions set forth in that Seventh Amendment to Office Lease agreement on file in the office of the City Clerk as Document No. OO- 19229 .

Section 2. That there will be no additional financial impact on the City caused by this Ordinance. The lease costs for this additional space was already budgeted under Fund 41300 in the FY04 Office Space Program Budget in DE number 2400019.

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 Cheryl A. Swartz for  
Debra J. Bevier  
Deputy City Attorney

DJB:mm  
09/16/03  
Or.Dept:REA  
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