(O-2008-35)



ORDINANCE NUMBER O- L9686

DATE OF FINAL PASSAGE NOV 2 0 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXCEUTE A SIXYEAR OFFICE SPACE LEASE WITH RUFFIN-SD, LLC, AS THE LANDLORD, FOR THE CITY'S STORM WATER POLLUTION PREVENTION PROGRAM AS THE TENANT.

WHEREAS, pursuant to San Diego City Charter section 99, this ordinance requires a two-thirds' majority vote of the members elected to the Council to pass; and

WHEREAS, the Storm Water Pollution Prevention Program [Program] of The City of San Diego [City] is expanding and needs additional office space; and

WHEREAS, the City has located appropriate office space occupying approximately 14,358 square feet of the first floor of a centrally-located building located at 9370 Chesapeake Drive, Suite 100, San Diego, California 92123 [Kearney Mesa Space]; and

WHEREAS, the City, as tenant, would like to enter into a six-year lease [Lease] of the Kearney Mesa Space with Ruffin-SD, LLC, a California limited liability company, as landlord, commencing upon completion of improvements to the space, estimated to be at the end of December 2007; and

WHEREAS, the rent under the Lease is \$1.95 per square foot per month, plus utilities estimated at \$.20 per square foot per month, for a total of \$2.15 for comparison to current market rents for properties comparable to the Kearney Mesa Space, as determined by the City's Real Estate Assets Department, which range from \$2.15 per square foot per month to \$2.80 per square foot per month; and

WHEREAS, the rent under the Lease will increase approximately four percent (4%) per year; and

WHEREAS, the estimated cost of leasing the Kearney Mesa Space, together with computer, telephone and other relocation costs for Fiscal Year 2008 is Three Hundred Forty-Five Thousand Dollars (\$345,000); NOW, THEREFORE,

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

Section 1. That the Mayor or his designee is authorized to execute and deliver, for and on behalf of The City of San Diego [City], a six-year lease between Ruffin-SD, LLC, a California limited liability company, as lessor, and the City, as tenant, relating to the leasing of approximately 14,358 square feet of office space [Kearney Mesa Space] located at 9370 Chesapeake Drive, Suite 100, San Diego, California 92123, under the terms and conditions set forth in that Standard Multi-Tenant Office Lease – Gross, a copy of which is on file in the Office of the City Clerk as Document No. OO-

Section 2. That the Auditor and Comptroller is authorized and directed to expend up to Three Hundred Forty-Five Thousand Dollars (\$345,000) in Fiscal Year 2008 from the general Services Department, Storm Water Pollution Prevention Division Operating Fund (#100) for costs associated with leasing the Kearney Mesa Space.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been available to the City Council and the public prior to the day of its passage.

Section 4. This ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

Brock Ladewig

Chief Deputy City Attorney

BL:bas 10/02/07 Or.Dept:READ O-2008-35 MMS #5401

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of __NOV 1 3 2007 .

ELIZABETH S. MALAND

City Clerk

Deputy City Clerk

Approved: (date)

ERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor

The City of San Diego CERTAICATE OF CITY AUDITOR AND COMPTROLLER

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