

ORDINANCE NUMBER O- 19686

DATE OF FINAL PASSAGE NOV 20 2007

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXCEUTE A SIX-YEAR 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- 19686.

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 13 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11-20-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800252

ORIGINATING

DEPT. NO.: 050

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: _____

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: \$345,000.00

Vendor: Ruffin-SD, LLC.

Purpose: Authorize the Mayor, or designee, to exercise a 6 yr lease with Ruffin-SD, LLC. For office space to accommodate the increase in staff to the Storm Water Pollution in the amount not to exceed \$345,000 in FY 08.

Date: October 2, 2007 By: Jessica Olson *Jessica Allison*

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	533	200	4274	000200				345,000.00
TOTAL										\$345,000.00

FUND OVERRIDE