

ORDINANCE NUMBER O- 20273 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 09 2013

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AND DELIVER THAT CERTAIN LEASE WITH HINES 525 B STREET LP, A DELAWARE LIMITED PARTNERSHIP, FOR OFFICE SPACE TO BE USED BY CITY STAFF IN THE BUILDING LOCATED AT 525 B STREET IN DOWNTOWN SAN DIEGO; AND AUTHORIZING THE EXPENDITURE OF FUNDS THEREFOR.

WHEREAS, the City of San Diego (City) currently leases office space in a building located at 600 B Street in downtown San Diego. The 600 B Street office space is used by approximately four hundred (400) employees of the City's Public Works and Public Utilities Departments. The negotiated term for the office space at 600 B Street expires on May 31, 2013. After May 31, 2013, the City's tenancy at 600 B Street is subject to the holdover provisions of the 600 B Street lease; and

WHEREAS, new office space for City staff has been located at 525 B Street in downtown San Diego. The 525 B Street space is owned by Hines 525 B Street LP, a Delaware limited partnership (Hines) and is sufficient to accommodate all of the employees currently located at 600 B Street; however, tenant improvements will be necessary; and

WHEREAS, a proposed (6) year lease, with two (2) one-year options, has been negotiated with Hines for the 525 B Street space, the terms and conditions of which are more fully set forth in that certain proposed lease; and

WHEREAS, San Diego Charter section 99 requires that no contract, agreement, or obligation requiring expenditure of public funds in excess of five years may be authorized except by ordinance adopted by two-thirds majority vote of the Council of the City of San Diego; and

WHEREAS, Pursuant to Section 99 of the San Diego Charter, a public hearing was duly noticed and held in regard to the matters set forth in the recitals hereof; NOW, THEREFORE,

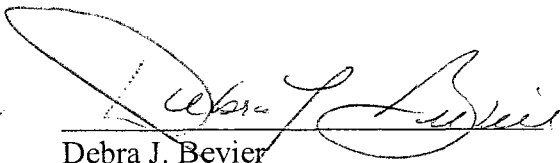
BE IT ORDAINED, by the Council of the City of San Diego as follows:

Section 1. That the Mayor, or his designee, is hereby authorized and directed to execute, deliver, and effectuate the terms and conditions of that certain lease, on file with the Office of the City Clerk as Document No. OO- 20273, between the City of San Diego, as tenant, and Hines 525 B Street LP, a Delaware limited partnership, as landlord, for office space in the building located at 525 B Street, San Diego, California.

Section 2. That the Chief Financial Officer is authorized to expend funds, for rent and as otherwise required by the lease agreement, including rent in an amount not to exceed \$1,399,391 for Fiscal Year 2014, from the following funds and in the following percentages: General Fund 100000, 47.66%; Muni Sewer Revenue Fund 700000, 12.71%; Metro Sewer Utility Fund 700001, 7.27%; and Water Utility Operating Fund 700011, 32.36%, contingent upon the adoption of the Fiscal Year 2014 Appropriation Ordinance and contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Debra J. Bevier  
Deputy City Attorney

DJB:mm  
06/11/2013  
Or.Dept.: Public Works/Engineering-ROW  
Doc. No. 578503\_2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 7/9/13.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/9/13  
(date)

  
BOB FILNER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
BOB FILNER, Mayor

Passed by the Council of The City of San Diego on JUL 09 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 09 2013

AUTHENTICATED BY: BOB FILNER  
Mayor of The City of San Diego, California.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By [Signature], Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 17 2013, and on JUL 09 2013

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal) ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.  
By [Signature], Deputy

Office of the City Clerk, San Diego, California  
Ordinance Number O- 20273