

ORDINANCE NUMBER O- 21067 (NEW SERIES)

DATE OF FINAL PASSAGE APR 25 2019

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH AARDEMA FAMILY LIMITED PARTNERSHIP, A CALIFORNIA LIMITED PARTNERSHIP, FOR THE REAL PROPERTY LOCATED AT 411 RAVEN STREET, SAN DIEGO, CALIFORNIA TO BE USED BY THE PARKS AND RECREATION DEPARTMENT.

WHEREAS, Aardema Family Limited Partnership, a California Limited Partnership (Aardema) owns a 2.2-acre property located at 411 Raven Street, San Diego, California, consisting of fenced yard and improved with a 30,000 square foot building with office and warehouse space and two small storage sheds (Property); and

WHEREAS, the City of San Diego (City) has leased the Property from Aardema and the Parks and Recreation Department has occupied the Property since 1994; and

WHEREAS, the Property is used by the City's Parks and Recreation Department for storage, repair, and maintenance of equipment and for office purposes; and

WHEREAS, the Property is zoned IL-2-1 (Industrial Park Zone) and is in a central location for Parks and Recreation Department operational needs; and

WHEREAS the existing lease commenced on June 1, 2014 and expires on May 31, 2019 and provides the City with one five-year option for renewal (Renewal Term) of the lease that must be exercised no later than six months prior to the lease expiration; and

WHEREAS in September 2018, the City sent a letter of intent to exercise the option for renewal; and

WHEREAS the City negotiated the rent per square foot down from \$1.17 per square foot plus operating expenses to \$0.90 per square foot plus operating expenses, which is comparable to

rent for similar sized properties, which will increase annually by three percent (3%) resulting in a total rent of \$1,720,161 plus approximately \$285,000 in estimated operating expenses for the entire Renewal Term; 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 authorized to execute, for and on behalf of the City, that certain First Amendment to Standard Industrial/Commercial Single-Tenant Lease – Net between the City, as lessee, and Aardema Family Limited Partnership, a California Limited Partnership, as lessor, that is on file in the Office of the City Clerk as Document No. 00-21067, for the renewal of the lease of the real property located at 411 Raven Street, San Diego, California.

Section 2. That the Chief Financial Officer is authorized to appropriate and expend funds up to \$1,720,161 in base rent plus approximately \$285,000 in operating expenses over the Renewal Term of the lease, contingent upon adoption of annual funds for the applicable fiscal year and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure, are, or will be, on deposit with the City Treasurer.

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

Section 4. That this Ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Kathy J. Steinman  
Deputy City Attorney

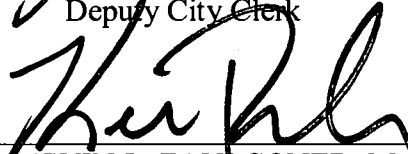
KJS:nja  
03/25/19  
Or. Dept: READ  
CC No. 3000011948  
Doc. No.: 1964159

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of APR 23 2019.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/25/19  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

DEPT. 3000011948  
NO: 9912

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: \_\_\_\_\_  
COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |      |                |                |                 |             |               |             |     |                 |
|-----------------|------|----------------|----------------|-----------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund | Funded Program | Internal Order | Functional Area | G/L Account | Business Area | Cost Center | WBS | Original 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: \$31,248.00

Vendor: Aardema Family Limited Partnership, LLP

Purpose: First Amendment to the Lease Agreement between Aardema Family Limited Partnership, LLP and the City of San Diego to renew the Lease for five years for the property at 411 Raven Street, San Diego, CA 92102

Date: February 25, 2019 By: William Weisman  
COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |        |                |                |                  |             |               |             |     |                 |
|-----------------|--------|----------------|----------------|------------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund   | Funded Program | Internal Order | Functional Area  | G/L Account | Business Area | Cost Center | WBS | Original Amount |
| 1               | 100000 | NON-PROGRAM    |                | OTHR-00000000-GG | 512217      | 9912          | 9912001112  |     | \$27,000.00     |
| 2               | 100000 | NON-PROGRAM    |                | OTHR-00000000-GG | 512217      | 9912          | 9912001112  |     | \$4,248.00      |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
| TOTAL AMOUNT    |        |                |                |                  |             |               |             |     | \$31,248.00     |

CC-381 (REV 7-09)

FUND OVERRIDE

Passed by the Council of The City of San Diego on APR 23 2019, by the following vote:

| Councilmembers    | Yeas                                | Nays                                | Not Present              | Recused                  |
|-------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Barbara Bry       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Jennifer Campbell | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Ward        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Monica Montgomery | <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"/> |
| Chris Cate        | <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"/> |
| Vivian Moreno     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gómez   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**APR 25 2019**

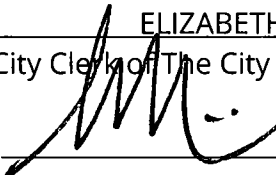
Date of final passage \_\_\_\_\_.

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

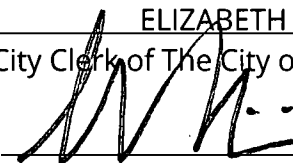
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 09 2019, and on APR 25 2019.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

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|---|
| Office of the City Clerk, San Diego, California |
| Ordinance Number O- <b>21067</b>                |