

ORDINANCE NUMBER O- 21257

DATE OF FINAL PASSAGE NOV 10 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THAT CERTAIN FOURTH AMENDMENT TO LEASE BETWEEN I & G 525 B STREET, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THE CITY OF SAN DIEGO.

WHEREAS, on July 9, 2013, the Council of the City of San Diego (Council) adopted Ordinance O-20273 approving that certain Office Lease (Original Lease) for office space at 525 B Street, San Diego, California (Property), between Hines 525 B Street LP (Hines) and the City of San Diego (City), on file with the Office of the City Clerk as Document No. 00-20273; on December 9, 2013, the Council adopted Ordinance O-20324 approving that certain First Amendment to the Original Lease (First Amendment), on file with the Office of the City Clerk as Document No. 00-20324; on June 2, 2015, the Council adopted Ordinance O-20492 approving that certain Second Amendment to the Original Lease, as amended by the First Amendment (Second Amendment), on file with the Office of the City Clerk as Document No. 00-20492; and on November 17, 2016, the Council adopted Ordinance O-20754 approving that certain Third Amendment to the Original Lease, as amended by the First Amendment and Second Amendment (Third Amendment), on file with the Office of the City Clerk (hereinafter, the Original Lease, as amended by, collectively, the First Amendment, Second Amendment, and Third Amendment, is referred to as the "Lease"); and

WHEREAS, Hines sold the Property to I & G 525 B Street, Inc., a Delaware corporation, which subsequently became I & G 525 B Street, LLC, a Delaware limited liability company (I & G), the current owner of the Property and "Landlord" under the Lease; and

WHEREAS, I & G and City have agreed to amend the Lease a fourth time (Fourth Amendment) to, among other things, provide for the City to surrender a certain portion of the 9th floor space in the office building, containing approximately 1,232 rentable square feet, by December 31, 2020, in exchange for abatement of 50% of the rent for the 3rd floor space in the building occupied by the City from

January 1, 2021, through the end of the Lease on June 30, 2022, all as more specifically set forth in the Fourth Amendment; and

WHEREAS, under City Charter section 99, no contract, agreement, or obligation extending for a period of more than five years may be authorized except by ordinance adopted by a two thirds' majority vote of the City Council; NOW, THEREFORE,

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

Section 1. The Council approves the Fourth Amendment, including all attachments and exhibits to the Fourth Amendment.

Section 2. The Mayor or designee is authorized and directed, on behalf of the City, to sign and enter into the Fourth Amendment, including all attachments and exhibits to the Fourth Amendment requiring the City's signature, and take all other reasonable actions that are necessary or desirable to perform the City's obligations under the Fourth Amendment. A copy of the Fourth Amendment, when fully signed, shall be placed on file with the City Clerk as Document No. 00- 21257.

Section 3. 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. This Ordinance shall take effect and be in force on the thirtieth day following its final passage.

APPROVED: MARA W. ELLIOTT, City Attorney

By: /s/ Delmar G. Williams
Delmar G. Williams
Deputy City Attorney

DGW:jdf
10/6/2020
Or. Dept: Real Estate Assets Dept.
Doc. No.: 2496717

I certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of 11/10/2020.

ELIZABETH S. MALAND
City Clerk

By: 1st Stacy D. Ready
Deputy City Clerk

Approved: 11/10/2020
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on NOV 10 2020, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 10 2020.

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.

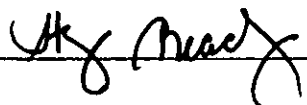
By , Deputy

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 OCT 20 2020, and on NOV 10 2020.

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

Office of the City Clerk, San Diego, California
Ordinance Number O- 21257