

#1016
03/08/2022

(R-2022-332)

RESOLUTION NUMBER R- 313950

DATE OF FINAL PASSAGE MAR 22 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND BALBOA BUILDING OWNER LLC FOR 4,712 SQUARE FEET OF OFFICE SPACE LOCATED AT 9444 BALBOA AVENUE, SAN DIEGO, CALIFORNIA 92123, AND AUTHORIZING THE EXPENDITURE OF FUNDS THEREFORE.

WHEREAS, the Federal Bureau of Investigations (FBI) currently leases from Balboa Building Owner LLC (Lessor) office space located at 9444 Balboa Avenue, San Diego, California 92123 (Property); and

WHEREAS, the City of San Diego (City) currently occupies a portion of the office space that FBI leases from Lessor at the Property, which is used by the San Diego Police Department's (SDPD) Internet Crimes Against Children (ICAC) Task Force; and

WHEREAS, FBI's lease with Lessor expires in March 2022, and FBI will be vacating its portion of the leased premises; and

WHEREAS, City staff has determined that it is most cost effective and will prevent disruption to SDPD ICAC Task Force's operations if the City negotiates with Lessor a lease for office space at the Property; and

WHEREAS, the City and Lessor have negotiated a 66-month lease (Lease) for 4,712 square feet of office space at the Property, subject to Council's approval; and

WHEREAS, the total base rent for the 66-month term of the Lease is \$1,015,573.09, subject to a rent abatement in the amount of \$86,229.60, which the City is entitled to receive if it does not default on the Lease; and

WHEREAS, City staff has determined that the rent amount is consistent with or slightly below market rates for comparable office spaces; NOW THEREFORE,

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

1. The Council approves the Lease.
2. The Mayor or designee is authorized and directed to execute the Lease, a copy of which, when fully signed, shall be placed on file in the Office of the City Clerk as Document No.

RR- 313950 .

3. The Chief Financial Officer is authorized to expend an amount not to exceed \$1,015,573.09 for base rent and an estimated \$93,300 for operating expenses for the 66-month term of the Lease, contingent upon the adoption of the annual funds for the applicable fiscal year and upon 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.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Julie Gough Inman
Julie Gough Inman
Deputy City Attorney

JGI:jdf
02/23/2022
Or. Dept: DREAM
Doc. No.: 2899384

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 08 2022.

ELIZABETH S. MALAND
City Clerk

By *Connie Patterson*
Deputy City Clerk

Approved: 3/24/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

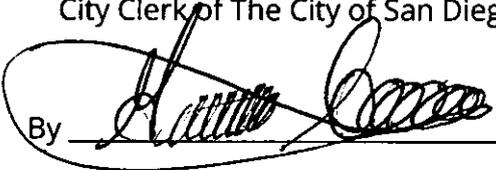
Passed by the Council of The City of San Diego on MAR 08 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 22 2022

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY: TODD GLORIA
Mayor of The City of San Diego, California.

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

Office of the City Clerk, San Diego, California
Resolution Number R- 313950