

(R-2024- 121)

RESOLUTION NUMBER R- 315162DATE OF FINAL PASSAGE OCT 23 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THAT CERTAIN SECOND  
AMENDMENT TO OFFICE LEASE BETWEEN 600 B STREET  
SAN DIEGO OWNER, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY, AND THE CITY OF SAN DIEGO.

WHEREAS, in April 2020, the City of San Diego (City) entered into that certain Office Lease (Original Lease) for approximately 14,972 rentable square feet of office space at 600 B Street, San Diego, California (Property), with 600 B Street San Diego Owner, LLC, a Delaware limited liability company (Landlord); and

WHEREAS, in September 2021, the City and Landlord entered into that certain First Amendment to the Original Lease (First Amendment). The Original Lease, as amended by the First Amendment, is referred to as the "Lease"; and

WHEREAS, Landlord and the City have negotiated a second amendment to the Lease (Second Amendment) to, among other things, all as more specifically set forth in the Second Amendment:

- (a) Provide for the City to lease an additional approximately 14,869 rentable square feet of office space on the 12<sup>th</sup> floor of the office building located on the Property, known as Suite 1200 (Expansion Space); and
- (b) Extend the Lease term by 5 years; and
- (c) Provide certain rent abatement to the City for months 2 through 8 after Landlord delivers possession of the Expansion Space to the City; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

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

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

2. The Mayor or designee is authorized, on behalf of the City, to sign and enter into the Second Amendment, including all attachments and exhibits to the Second Amendment requiring the City's signature, and take all other actions reasonably necessary to perform the City's obligations under the Second Amendment. A copy of the Second Amendment, when fully signed, shall be placed on file with the City Clerk as Document No. RR-315162.

3. The Chief Financial Officer is authorized to expend an amount not to exceed \$6,313,042.50 in base rent, and an estimated \$394,013.00 in operating expenses over the remaining term of the Lease, as amended by the Second Amendment, with 70 percent of these expenses being paid from Emergency Medical Services Fund #200227, Cost Center #1913000013, and 30 percent of these expenses being paid from General Fund #100000, Cost Center #9912001112; provided, however, that funding for base rent and operating expenses under the Lease, as amended by the Second Amendment, in future fiscal years after fiscal year 2024 is contingent upon the Council's annual appropriation of funds for these expenses for each applicable fiscal year and the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for these expenditures, are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By Kevin Reisch /for  
Delmar G. Williams  
Deputy City Attorney

DGW:aja  
September 27, 2023  
Or. Dept: DREAM  
Doc. No. 3427472\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 17 2023.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 10/23/23  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on OCT 17 2023, 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"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 OCT 23 2023.

**(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)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 3151.62