

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2841

**ORDINANCE AUTHORIZING AMENDMENT NO. 6
TO THE LEASE WITH PORT CORONADO
ASSOCIATES, LLC A CALIFORNIA LIMITED
LIABILITY COMPANY DBA CORONADO FERRY
LANDING, LOCATED AT 1201 FIRST STREET IN
THE CITY OF CORONADO TO UPDATE CERTAIN
LEASE TERMS**

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

WHEREAS, Section 87(b) of the Port Act grants authority to the District to lease the tidelands or submerged lands, or parts thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which those lands are held, by the State of California; and

WHEREAS, Port Coronado Associates, LLC dba Coronado Ferry Landing (PCA) operates a retail center and ferry operations located at 1201 First Street, Coronado, California; and

WHEREAS, the 40-year lease expires June 30, 2026; and

WHEREAS, PCA has requested consent to a California Bank & Trust loan in the amount of \$6,800,000 to refinance existing debt encumbered by the leasehold and intended to be used for various leasehold improvements to be determined in the future; and

WHEREAS, the lease does not provide for an adjustment of rent to market or updates to lease terms pursuant to the terms of the encumbrance section; and

WHEREAS, PCA has agreed to update certain lease terms; and

WHEREAS, staff recommends the Board of Port Commissioners update certain lease terms to current standard lease language, including sustainable leasing policy, labor and prevailing wage.

NOW, THEREFORE, the Board of Port Commissioners of the San Diego Unified Port District does ordain as follows:

Section 1. Agreement for Amendment of Lease Amendment No. 6 to the Lease with Port Coronado Associates, LLC dba Coronado Ferry Landing, located at 1201 First Street in the City of Coronado to update certain lease terms is hereby granted.

Section 2. The Executive Director or her designated representative is hereby directed to execute said Agreement for Amendment of Lease Amendment No. 6 to the Lease.

Section 3. This Ordinance shall take effect on the 31st day from its passage by the Board of Port Commissioners.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: ~~Assistant~~/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 8th day of December, 2015, by the following vote:

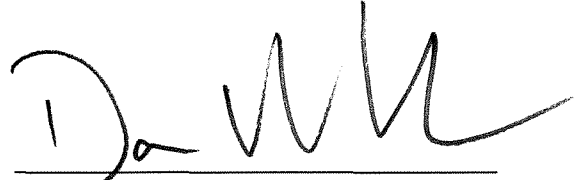
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

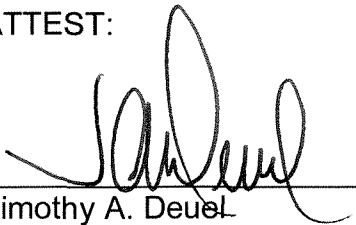
ABSENT: None.

ABSTAIN: None.



Dan Malcolm, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)