

CITY OF ALAMEDA ORDINANCE NO. \_\_\_\_\_

AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT WITH FACTION BREWING COMPANY LLC FOR BUILDING 22, SUITE 200, LOCATED AT 2501 MONARCH STREET AT ALAMEDA POINT, ALAMEDA, FOR A 3-MONTH RENT DEFERRAL AND 12-MONTH RENT REPAYMENT SCHEDULE

WHEREAS, Faction Brewing Company, LLC is a brewery led by a team with extensive brewing experience throughout northern California and produces a variety of beers which include Pale Ale, IPA, Red, Pilsner, and Stout; and

WHEREAS, Faction Brewing Company, LLC entered into a lease agreement with the City of Alameda to occupy Suite 200 of Building 22 in 2012 and has been open to the public since early 2013; and

WHEREAS, Building 22, Suite 200 consists of approximately 32,500 square feet of rentable square feet; and

WHEREAS, Faction Brewing Company, LLC has experienced unusual economic hardships due to the 2023 atmospheric river and changes in visitorship to Alameda Point; and

WHEREAS, in 2018, the City Council adopted the Economic Development Strategic Plan, which prioritized the support of specialty food and beverage makers at Alameda Point's Spirits Alley; and

WHEREAS, in 2020, the City Council approved a nine-month rent deferral program for eight businesses at Spirits Alley, including Faction. All rent deferral payments were made according to schedule or early.

NOW, THEREFORE, the City Council of the City of Alameda does hereby ordain as follows:

Section 1. The City Manager of the City of Alameda or her designee is hereby authorized to execute, for and on behalf of the City of Alameda, a lease amendment with Faction Brewing for a 3-month rent deferral and 12-month rent repayment schedule, subject to such technical or clarifying revisions as are reasonably determined necessary by the City Manager and approved by the City Attorney, and the City Clerk is hereby authorized and directed to attest to the same.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council of the City of Alameda hereby declares that it would have passed this ordinance, and each section, subsections, clause, or phrase hereof, irrespective of the

fact that any one or more sections, subsections, sentences, clauses and phrases are declared to be invalid and unconstitutional.

Section 3. This ordinance shall be in full force and effect from and after the expiration of thirty (30) days from the date of its final passage.

\_\_\_\_\_  
Presiding Officer of the City Council

Attest:

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

\* \* \* \* \*

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by Council of the City of Alameda in regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

\_\_\_\_\_  
Yibin Shen, City Attorney  
City of Alameda