

FORM OF ORDINANCE

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

AUTHORIZING THE CITY MANAGER TO EXECUTE A FIFTEEN-YEAR LEASE WITH TEN- AND FIVE- YEAR OPTIONS TO EXTEND, SIGNIFICANTLY IN THE FORM OF THE ATTACHED, WITH NAUTILUS DATA TECHNOLOGIES, INC., A DELAWARE CORPORATION FOR BUILDING 530, AN 82,251-SQUARE FOOT BUILDING LOCATED AT 120 WEST ORISKANY AVENUE, AND THE ADJACENT BUILDING 529, A 3,200- SQUARE FOOT BUILDING, AND BUILDING 600, A 343-SQUARE FOOT BUILDING, AT ALAMEDA POINT.

WHEREAS, Nautilus Data Technologies, Inc., a data storage company, is interested in developing a water-cooled data storage system at Alameda Point; and

WHEREAS, Building 530 consists of approximately 82,251 square feet of rentable space, and Building 529 consists of approximately 3,200 square feet of rentable space, and Building 600 consists of approximately 343 square feet of rentable space; and

WHEREAS, the monthly base rent is \$00.00 for months one to twelve, \$46,060.56 for months thirteen to twenty-four, \$47,705.58 for months twenty-five to thirty-six, \$47,705.58 for months thirty-seven to forty-eight, \$50,831.12 for months forty-nine to sixty, \$52,356.05 for months sixty-one to seventy-two, \$53,926.73 for months seventy-three to eighty-four, \$55,544.53 for months eighty-five to ninety-six, \$57,210.87 for months ninety-seven to one hundred eight, and \$58,927.19 for months one hundred nine to one hundred twenty; \$60,695.01 for months one hundred twenty-one to one hundred thirty-two; \$62,515.86 for months one hundred thirty-three to one hundred forty-four; \$64,391.33 for months one hundred forty-five to one hundred fifty-six; \$66,323.07 for months one hundred fifty-seven to one hundred sixty-eight; and \$68,312.77 for months one hundred sixty-nine to one hundred eighty.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Alameda that by four affirmative votes that:

Section 1. The City Manager of the City of Alameda or his designee is hereby authorized to negotiate, execute, for and on behalf of the City of Alameda, a lease with Nautilus Data Technologies, Inc, a Delaware corporation, for Building 530 located at 120 West Oriskany Avenue and the adjacent Buildings 529 and 600 at Alameda Point for fifteen years.

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

* * * * *

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the ____ day of _____, 2019, 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 _____, 2019.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Michael H. Roush, Interim City Attorney
City of Alameda