

SECOND AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT

This SECOND AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT (“Second Amendment”), entered into this ____ day of December, 2025, by and between the CITY OF ALAMEDA, a municipal corporation (“City”), and Radium Presents Inc, a California non-profit public benefit corporation (“Developer”) (collectively, the “Parties”) is made with reference to the following:

RECITALS

A. The City and Developer entered into that certain Exclusive Negotiating Agreement (“ENA”) with Little Opera House, Inc. dated as of December 19, 2023 (the “Agreement”) for an approximately 2.13 acre site located on Pan Am Way between the new waterfront park and the NAS Alameda Museum at Alameda Point within the Waterfront and Town Center Precise Plan area, the Site A Development Plan area, and the NAS Alameda Historic District, to construct and operate a performing arts center.

B. Pursuant to Sections 1 and 2 of the Agreement, the City Manager exercised both of the three-month term extension options, extending the Term of the Agreement to June 18, 2025.

C. On March 18, 2025, City Council approved a First Amendment to the Agreement extending the Term of the Agreement to December 31, 2025, and making other modifications to assist the Parties’ negotiations.

D. The Parties desire to amend the Agreement to further extend the Term to assist the Parties’ negotiations, as set forth below.

NOW, THEREFORE, in consideration of the foregoing, which are incorporated herein by reference, and the mutual promises of the Parties hereto, and of other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Section 1 of the Agreement is deleted in its entirety and replaced with the following:


“Term. The term of this Agreement shall commence on December 19, 2023 (the Effective Date) and shall continue until April 30, 2026, unless sooner terminated or extended by the City as herein provided (the “Term”).”

[Signatures on following page]

IN WITNESS WHEREOF, this Second Amendment is entered into by and between City and Developer as of the date and year first above written.

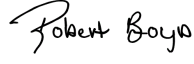
RADIUM PRESENTS INC, a California
non-profit corporation

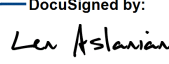
CITY OF ALAMEDA

Signed by:
By: 
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Christopher Seiwald
Founding Director

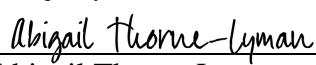
By: _____
City Manager

Approved as to form:

DocuSigned by:
By: 
5A5B39B73EFF454...
Robert Boyd
Secretary

DocuSigned by:
By: 
765A25F89B19464...
Len Aslanian
Assistant City Attorney

Recommended for approval:

Signed by:
By: 
A75B7113B9954F6...
Abigail Thorne-Lyman
Base Reuse & Economic Development
Director