

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

APPROVING A TWO LEASES AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO IMPLEMENT THE TERMS OF LEASES NATIONAL RESPONSE CORPORATION, ENVIRONMENTAL SERVICES FOR BUILDING 15 LOCATED AT 1605 FERRY POINT AND BUIDLIGN 616 LOCATED AT 1750 ORION STREET FOR FIVE AND TWO YEARS RESPECTIVELY.

WHEREAS, the City entered into a port management agreement with National Response Corporation, Environmental Services (NRC) in 2008; and

WHEREAS, the port management agreement gave NRC the right to certain equipment and real estate assets as part of its contract, including Buildings 15 and 616; and

WHEREAS, the proposed leases are for Building 15 and 16 located at 1605 Ferry Point and 1750 Orion Street respectively; and

WHEREAS, the new lease for Building 15 will expire five years after the Commencement date; and

WHEREAS, the new lease for Building 616 will expire two years after the Commencement date; and

WHEREAS, Building 15 is approximately 16,603 square feet and Building 616 is approximately 1,800 square feet; and

WHEREAS, the rent for Building 15 under the proposed lease will be slightly increased from sixteen thousand six hundred three (\$16,603) monthly or \$199,236 annually to eighteen thousand six hundred eighty seven dollars (\$18,687) monthly or \$224,244 annually; and

WHEREAS, the rent for the two years of Building 616 at 1750 Orion Street will be slightly increased from eleven thousand three hundred twenty five (\$11,325) or \$135,900 annually to eleven thousand six hundred sixty five (\$11,665) or \$139,980 annually; and

WHEREAS, the sole use for which the premises may be used by the tenant is for administrative offices and storage of equipment and vehicles associated with the operations of NRC business; and

WHEREAS, in addition to the base rent, the tenant has provided a \$47,207 security deposit, representing one month's rent for all of its leased and licensed properties and

the tenant will comply with all other leasing requirements including providing insurance that is satisfactory to the City.

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 National Response Corporation, Environmental Services for Building 15 located at 1605 Ferry Point and Building 616 located at 1750 Orion Street for Five and Two Years respectively, 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, for any reason, is 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 Council of the City of Alameda in regular meeting assembled on the ____ day of _____, 2016, 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 _____, 2016.

Lara Weisiger, City Clerk
City of Alameda

Approved to the Form:

Janet C. Kern, City Attorney
City of Alameda