

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

AUTHORIZING THE INTERIM CITY MANAGER, OR DESIGNEE, TO NEGOTIATE AND EXECUTE A LEASE WITH ASTRA SPACE, INC., A DELAWARE CORPORATION, SUBSTANTIALLY IN THE FORM OF THE LEASE, FOR FIFTY-NINE MONTHS FOR BUILDING 360, LOCATED AT 1900 SKYHAWK STREET, AT ALAMEDA POINT

WHEREAS, Astra Space, Inc. is an aerospace research and design firm; and

WHEREAS, Astra Space, Inc. has been a tenant at Alameda Point since November 2016; and

WHEREAS, Astra Space, Inc. is currently licensing Building 360, located at 1900 Skyhawk Street at Alameda Point, for aerospace development, manufacturing and related office use; and

WHEREAS, Astra Space, Inc. wishes to enter into a lease for Building 360 with the City of Alameda; and

WHEREAS, in response to community and City Council concerns about on-site rocket engine testing, Astra Space, Inc. has committed to noise, vibration and emissions monitoring, compliance with all State, regional and local regulations and laws governing its operation, as well as taking additional steps to minimize negative effects of noise on surrounding neighborhoods; and

WHEREAS, Building 360 consists of approximately 179,070 square feet of rentable space; and

WHEREAS, the lease has a term of fifty-nine months with no extension options; and

WHEREAS, the base rent for Building 360 for the fifty-nine month term is \$164,744.40 for months 1-12, \$170,116.50 for months 13-24, \$177,279.30 for months 25-36, \$182,651.40 for months 37-48, and \$188,023.50 for months 49-59; and

WHEREAS, the City intends to provide a rent credit to Astra, Inc. in the amount of \$2.5 million, applied over the life of the lease, in consideration of the several million dollars incurred by Astra, Inc. to bring Building 360 up to code and perform regulated environmental monitoring to ensure Building 360 is safe for occupation and

WHEREAS, Building 360 is subject to the Surplus Land Act and therefore the lease contains a term of less than five years with no extension options; and

WHEREAS, Astra Space, Inc. will be required to provide a security deposit in the amount of \$151,158.65 for Building 360; and

WHEREAS, the lease contains the standard insurance, indemnity, assignment and termination clauses the Alameda Reuse and Redevelopment Authority (ARRA) requires and is in compliance with the Lease in Furtherance of Conveyance (LIFOC).

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

Section 1. The Interim City Manager of the City of Alameda or designee is hereby authorized to negotiate, execute, for and on behalf of the City of Alameda, a lease with Astra Space, Inc., a Delaware corporation, for Building 360 at Alameda Point for fifty-nine months, 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

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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 _____, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____, 2022.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda