

CITY OF ALAMEDA ORDINANCE NO.____
New Series

AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE
A TEN-YEAR (120 MONTH) LEASE WITH RAIN INDUSTRIES, INC.,
FOR BUILDING 19, LOCATED AT 2175 MONARCH STEET,
ALAMEDA, CA

WHEREAS, Rain Industries, Inc. (Rain) researches, designs and manufactures autonomous aircraft; and

WHEREAS, Rain submitted a proposal in response to a Request for Proposals (RFP) to lease Building 19, approximately 16,888 square feet of interior office space, and approximately 3,993 square foot shed and enclosed, paved yard area at Alameda Point (the Premises); and

WHEREAS, City Council directed staff to prepare a lease with Rain for the Premises; and

WHEREAS, the proposed lease has a term of ten (10) years with no renewal or purchase option; and

WHEREAS, the proposed use of the Premises is for research, design, and development of autonomous aircraft, office space for use as company headquarters, and light manufacturing of aircraft prototypes; and

WHEREAS, the proposed monthly base rent for the Premises is \$31,321.50 during Months 1-12 of the lease term, and increases by three and a half (3.5) percent every twelve (12) months thereafter; and

WHEREAS, the proposed lease requires Rain to deliver to the City a security deposit in the amount of \$31,321.50 at the time of lease execution; and

WHEREAS, the proposed lease requires Rain to deliver to the City the initial twelve (12) months of base rent, in the sum of \$375,885.00, to be held in an escrow account known as the "Prepaid Rent Account" and to be applied to the monthly base rent for Months 1 – 12.

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

Section 1. The City Manager of the City of Alameda, or designee, is hereby authorized to execute on behalf of the City of Alameda a ten-year lease with Rain Industries, Inc. for Building 19, located at 2175 Monarch St., Alameda, CA, subject to such technical or clarifying revisions as are reasonably determined necessary by the City Manager, or designee, 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

* * * * *

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 November 2022, 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 November 2022.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda