

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE 1.7 ACRES OF SURPLUS LAND (BUILDING 607) WITH THE ALAMEDA FOOD BANK, EXECUTE A 12-MONTH LICENSE WITH 6-MONTH OPTIONAL EXTENSION FOR TEMPORARY USE OF ADJACENT PROPERTY DURING PROJECT CONSTRUCTION, EXECUTE A LEASE FOR WINGS 8 AND 9 OF BUILDING 2 ON WEST MIDWAY AVENUE AT ALAMEDA POINT WITH THE ALAMEDA POINT COLLABORATIVE, AND EXECUTE RELEASES OF THE LEGALLY BINDING AGREEMENTS WITH THE ALAMEDA POINT COLLABORATIVE AND ALAMEDA COUNTY

WHEREAS, the City is desirous of providing supportive housing for the City's most vulnerable citizens; and

WHEREAS, the City is also desirous of maintaining continuity of services for residents seeking food assistance; and

WHEREAS, the City is also desirous of ensuring that Alameda Point is ultimately served by a new and cohesive backbone infrastructure system guided by the Master Infrastructure Plan (MIP); and

WHEREAS, Alameda Point Collaborative, a California nonprofit public benefit corporation ("APC"), has represented homeless interests in the reuse process for the Alameda Naval Air Station since 1995, and has leased Building 607 in furtherance of that goal since 1999; and

WHEREAS, Alameda Food Bank, a California nonprofit public benefit corporation ("AFB"), has provided essential assistance to the Alameda community by providing nourishing food in a compassionate and respectful manner since 1977; and

WHEREAS, APC, AFB, and the City of Alameda have negotiated a series of actions to facilitate and expedite: 1) the construction of new infrastructure in support of the Historic District and occupants at Alameda Point consistent with the City Council's March 2023 Alameda Point Disposition and Leasing Strategy, 2) the construction of affordable housing for Alameda's most vulnerable households consistent with the Council's July 2023 approval of the Rebuilding Existing Supportive Housing at Alameda Point project (RESHAP) project, and 3) the provision of affordable food to Alameda's most vulnerable communities by the Alameda Food Bank; and

WHEREAS, AFB explored moving from their current location at Building 92 in order to expand operations. City staff determined that Building 607 was a highly suitable new

location due to its location, ability for expansion, and inclusion of a cell tower that could provide ongoing income generation for AFB; and

WHEREAS, Building 607 and associated land are located across the street from the Alameda Food Bank's currently-leased location in Building 92; and

WHEREAS, Building 607 and associated lands are located on AC Transit Route 96, are in close proximity to a planned network of bicycle facilities and sidewalks, and will also be served by Alameda Transportation Management Association services and programs consistent with and in compliance with the Alameda Point TDM Plan; and

WHEREAS, the Alameda Food Bank would like to purchase the 1.7 acres of exempt surplus land facing Pan Am Way, which includes Building 607, an existing parking lot and a cell tower; and

WHEREAS, the City is the fee title owner of Building 607 and associated land, which is approximately 1.7 acres in size and is located on Pan Am Way, and is more particularly described in Exhibit D to this Ordinance; and

WHEREAS, the Alameda Food Bank's proposed Development Plan for the 1.7-acre site includes the rehabilitation and expansion of Building 607, reconfiguration of the adjacent parking lot, and addition of trees, landscaping and impervious surfaces to accommodate the Community Market and a variety of operational areas, including food receiving, warehouse areas for dry and cold storage of food, food sorting and preparation areas, and related volunteer and staff operational areas; and

WHEREAS, a Purchase and Sale Agreement (PSA) establishes a sales price of \$3,060,000 for the 1.7-acre property, which is based on the City's \$1.8 million per acre cost to construct all of the Master Infrastructure needed at Alameda Point; and

WHEREAS, on March 7, 2023, the City Council reviewed and approved a Disposition and Leasing Strategy for Alameda Point, which prioritizes the sale of City-owned land adjacent to new infrastructure and new utilities to finance new public infrastructure at Alameda Point in the Historic District; and

WHEREAS, the Food Bank is funding their fair share of the cost for the new infrastructure, utilities, sea level rise, and parks that are needed to support the full development of Alameda Point; and

WHEREAS, on November 13, 2023, the Alameda Planning Board held a public hearing at which they reviewed and unanimously approved the Food Bank's proposed Development Plan and Use Permit for Building 607 and the 1.7-acre property on Pan Am Way; and

WHEREAS, with City Council approval of the PSA, the Alameda Food Bank will be able to prepare and submit architectural plans for the project and submit for Design

Review approval from the Planning Board and Certificate of Approval from the Historical Advisory Board; and

WHEREAS, Building 607 is not a contributor to the NAS Historic District, but the City of Alameda Mitigation Monitoring and Reporting Program for the development of Alameda Point requires a Certificate of Approval for any new buildings constructed within the Historic District to ensure that the new structure does not impact the character defining features of the NAS Historic District; and

WHEREAS, there are Legally Binding Agreements (LBAs) with numerous entities on Alameda Point, including with APC at Buildings 92 and 607; and

WHEREAS, the Base Closure Community Redevelopment and Homeless Assistance Act of 1994 requires that reasonable accommodations be made on closing military bases to meet the needs of the homeless. In 1995, the Alameda Reuse and Redevelopment Authority (ARRA) recognized the Alameda County Homeless Providers Base Conversion Collaborative (ACHPBCC) as the official organization representing homeless interests in the reuse process for the NAS Alameda; and

WHEREAS, APC is the successor to ACHPBCC; and

WHEREAS, on July 18, 2023, the Alameda City Council approved the Development Agreement and Disposition and Development Agreement for the Rebuilding the Existing Supportive Housing at Alameda Point (RESHAP) property. APC, the AFB, and the City have agreed to relocate AFB to Building 607 and surrounding areas, which requires temporary relocation of Tenant to the Premises until the RESHAP development is completed; and

WHEREAS, APC and City desire to temporarily relocate all homeless services provided under the LBAs for Buildings 607 and 613 into Building 2, which is more particularly described in Exhibit C to this Ordinance, pursuant to the terms of this new lease agreement, until RESHAP construction is completed; and

WHEREAS, APC, in consideration for the City agreeing to lease Building 2 has agreed to release any and all rights it may have pursuant to the Legally Binding Agreements (LBAs) for Buildings 607 and 613; and

WHEREAS, APC has agreed to release any and all rights it may have pursuant to the LBA for Building 92 so that the City may market for sale; and

WHEREAS, to facilitate and expedite the move across the street to the 1.7-acre parcel, known as Lot 101, which is more particularly described in Exhibit A to this Ordinance, and to maintain a continuity of operations for residents seeking food assistance, the Alameda Food Bank requires temporary use of approximately 10,000 square feet of land on the vacant parcel immediately adjacent to Building 607 for up to 12 months; and

WHEREAS, Lot 101 is currently leased to the Alameda Point Collaborative at no cost pursuant to the Legally Binding Agreements between the City and the Alameda Point Collaborative; and

WHEREAS, as a condition of the Building 2 Lease with Alameda Point Collaborative, Alameda Point Collaborative is releasing its interests for this property. Once the Alameda Food Bank has terminated the short-term license, the adjacent vacant lands between Building 114 and the Alameda Food Bank property will be available for sale; and

WHEREAS, in connection with the approval of this Agreement, the City Council has adopted written findings that the Property is exempt surplus land pursuant to Government Code Section 54221(f)(1)(M); and

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

Section 1. The foregoing recitals are true and correct, and, together with information provided by City staff and the public, if any, form the basis for the approvals, findings, resolutions, and determinations set forth below.

Section 2. The City Council approves, authorizes, and directs the City Manager to execute a 12-month License with a 6-month optional License between the City of Alameda and Alameda Food Bank, for the approximately 10,000 square feet of unimproved land adjacent to Building 607, 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 3. The City Council approves, authorizes, and directs the City Manager to execute a lease between the City of Alameda and Alameda Point Collaborative for Wings 8 and 9 of Building 2, 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 4. The City Council approves, authorizes, and directs the City Manager to execute a release and termination of lease agreement for all Legally Binding Agreements with the Alameda Point Collaborative and Alameda County, for buildings described in Exhibit B to this Ordinance, 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 5. The City Council approves, authorizes, and directs the City Manager to execute the Purchase and Sale Agreement with the Alameda Food Bank for Building 607, 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.

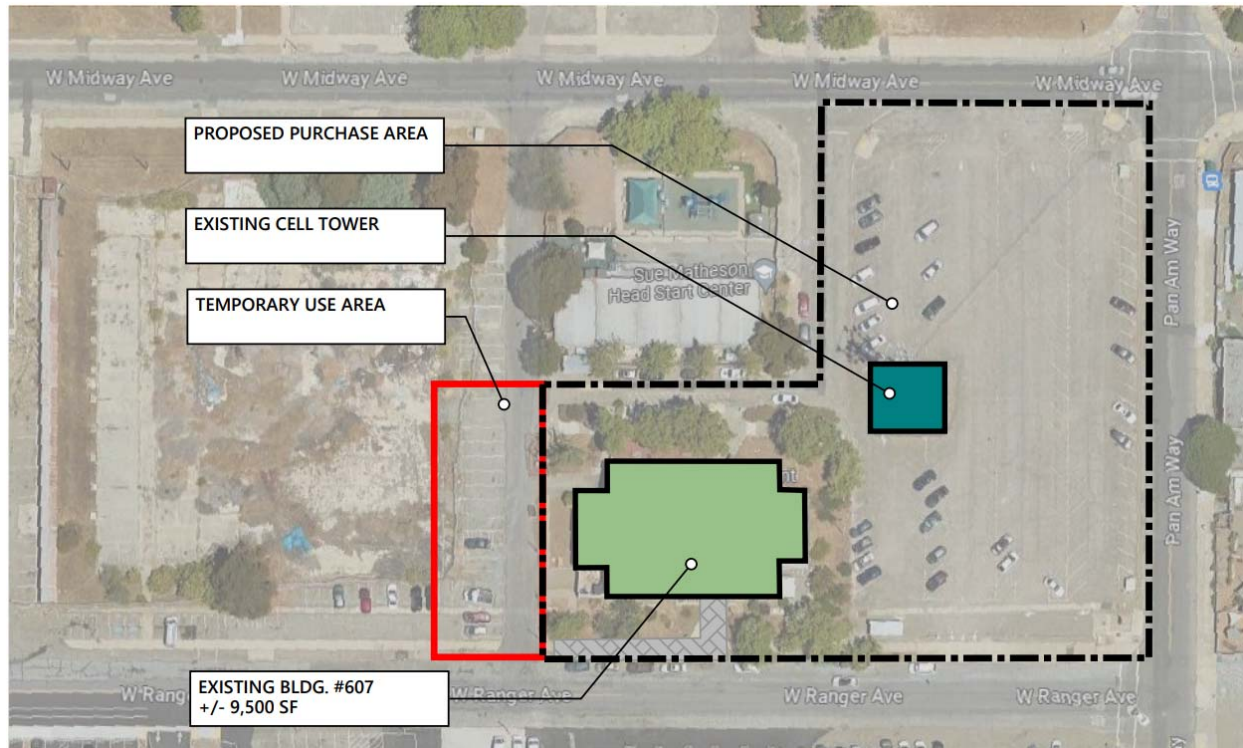
Section 6. If any section, subsection, sentence, clause or phrase of this ordinance if, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council of the City of Alameda hereby 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 7. 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



| Category | LBA Doc # | Building Name | Non-Profit Operator | Parties to LBA | Addresses | Addresses cont. | Recording Date from LBA Doc |
|---|-----------|---|---------------------|---|--|---|-----------------------------|
| Non-Residential | 6 | 677 West Ranger (Building 607) | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | 677 West Ranger (Building 607) | | 3/14/2011 |
| Non-Residential | 9 | 650 West Ranger (Building 92) | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | 650 West Ranger (Building 92) | | 3/14/2011 |
| Non-Residential | 11 | 451 Stardust (Building 613) | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | 451 Stardust (Building 613) | | 4/20/2015 |
| Non-Residential | 8 | 750 West Midway (Building 101) | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | 750 West Midway (Building 101) | | 3/14/2011 |
| Residential, in RESHAP Footprint | 2 | Miramar/Mariposa | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | Miramar: 570 Pensacola Road 550 Pensacola Road 530 Pensacola Road 500 Pensacola Road 470 Pensacola Road 450 Pensacola Road 571 Corpus Christi 551 Corpus Christi 531 Corpus Christi 501 Corpus Christi 471 Corpus Christi 451 Corpus Christi | Mariposa: 2500 Pensacola Road 350 West Midway 331 Stardust Place 351 Stardust Place | 9/7/2005 |
| Residential, in RESHAP Footprint | 10 | New Life Gardens I and II (formerly Dignity Housing West) 240 Corpus Christi, 230 Corpus Christi, 2471 Orion, 2451 Orion, 201 Stardust, 251 Stardust, 271 Stardust | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | New Life Gardens I: 201 Stardust 251 Stardust | New Life Gardens II: 240 Corpus Christi 230 Corpus Christi 2471 Orion 271 Stardust 2451 Orion | 1/13/2012 |
| Residential, in RESHAP Footprint | 5 | Dignity Commons | Operation Dignity | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Operation Dignity, Inc. | 100 Moonlight Terrace 102 Moonlight Terrace 2300 Rainbow Court 2301 Rainbow Court 2320 Rainbow Court 2350 Rainbow Court 2370 Rainbow Court | | 8/18/2009 |
| Residential, Lease to be terminated to Relocate Tenants to RESHAP | 1 | Bessie Coleman Court | Building Futures | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, Alameda Point Collaborative, Inc., and Bessie Coleman Court, Inc. | 2500 Barbers Point Road 2520 Barbers Point Road 2530 Barbers Point Road | | 10/6/2004 |
| Residential, Lease to be terminated to Relocate Tenants to RESHAP | 3 | Spirit of Hope I and II | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, Alameda Point Collaborative, Inc., and UA Housing, Inc. | Sprit of Home I: 2751 Orion Street 2651 Orion Street 2601 Orion Street 371 Corpus Christi Road 351 Corpus Christi Road 331 Corpus Christi Road 301 Corpus Christi Road 470 Corpus Christi Road 450 Corpus Christi Road 370 Corpus Christi Road 350 Corpus Christi Road 330 Corpus Christi Road 300 Corpus Christi Road 270 Corpus Christi Road | Spirit of Home II: 2591 Orion Street 2580 Pensacola 201 Corpus Christi Road 271 Corpus Christi Road 251 Corpus Christi Road 250 Corpus Christi Road 170 Corpus Christi Road 120 Corpus Christi Road | 9/7/2005 |
| Residential, Lease to be terminated to Relocate Tenants to RESHAP | 4 | Unity Village | APC | The Alameda Reuse and Redevelopment Authority, Alameda County Housing and Community Development Department, and Alameda Point Collaborative, Inc. | 2810 Barbers Point 550 Corpus Christi 530 Corpus Christi 500 Corpus Christi 200 Corpus Christi 2501 Pensacola Road | | 10/17/2005 |

EXHIBIT C

Building 2 Lease Area

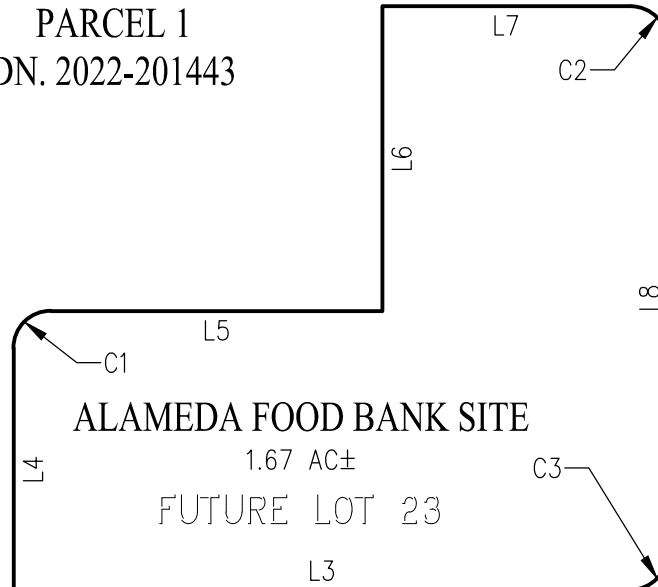
First Floor and Enclosed Bay



PARCEL 1
DN. 2022-201443

NEW TRUST TERMINATION
LANDS PARCEL FOUR
DN 2021-238103

PHASE 3 TRUST TERMINATION
LANDS PARCEL THREE
DN 2020-252282



ALAMEDA FOOD BANK SITE

1.67 AC±

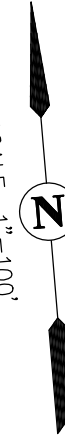
FUTURE LOT 23

POINT OF BEGINNING

POINT OF
COMMENCEMENT

PAN AM WAY

SCALE: 1"=100'



LINE TABLE

| NO | BEARING | LENGTH |
|----|-------------|---------|
| L1 | N85°18'21"W | 19.83' |
| L2 | N04°41'39"E | 103.17' |
| L3 | N85°12'42"W | 321.03' |
| L4 | N04°47'18"E | 125.71' |
| L5 | S85°12'42"E | 172.48' |
| L6 | N04°47'18"E | 158.85' |
| L7 | S85°12'42"E | 129.05' |
| L8 | S04°47'18"W | 264.06' |

CURVE TABLE

| NO | RADIUS | DELTA | LENGTH |
|----|--------|-----------|--------|
| C1 | 19.50' | 90°00'00" | 30.63' |
| C2 | 20.00' | 90°00'00" | 31.42' |
| C3 | 20.00' | 90°00'00" | 31.42' |



NEW TRUST
TERMINATION LANDS
PARCEL FIVE
DN 2021-238103

PARCEL 2
341 M 82

SHEET 1 OF 1

PLAT TO ACCOMPANY LEGAL DESCRIPTION

ALAMEDA FOOD BANK SITE
ALAMEDA POINT
ALAMEDA, CALIFORNIA

JANUARY 31, 2024



CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS

SAN RAMON (925) 866-0322

ROSEVILLE (916) 788-4456

WWW.CBANDG.COM

JANUARY 31, 2024
JOB NO.: 1087-022

**LEGAL DESCRIPTION
ALAMEDA FOOD BANK SITE
ALAMEDA POINT
ALAMEDA, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 1 IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED DECEMBER 23, 2022, AS DOCUMENT NO. 2022-201443 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERN CORNER OF PARCEL 2, AS SAID PARCEL 2 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 8315, ENTITLED "WEST TOWER AVENUE", RECORDED AUGUST 23, 2016, IN BOOK 341 OF MAPS, AT PAGE 82, IN SAID OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERN LINE OF SAID PARCEL 2, NORTH 85°18'21" WEST 19.83 FEET;

THENCE, LEAVING SAID NORTHERN LINE, NORTH 04°41'39" EAST 103.17 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, NORTH 85°12'42" WEST 321.03 FEET;

THENCE, NORTH 04°47'18" EAST 125.71 FEET;

THENCE, ALONG THE ARC OF A TANGENT 19.50 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 30.63 FEET;

THENCE, SOUTH 85°12'42" EAST 172.48 FEET;

THENCE, NORTH 04°47'18" EAST 158.85 FEET;

THENCE, SOUTH 85°12'42" EAST 129.05 FEET;

THENCE, ALONG THE ARC OF A TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET;

THENCE, SOUTH 04°47'18" WEST 264.06 FEET;

LEGAL DESCRIPTION

PAGE 2 OF 2

JANUARY 31, 2024
JOB NO.: 1087-022

THENCE, ALONG THE ARC OF A TANGENT 20.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 31.42 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1.67 ACRES OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PRELIMINARY

SABRINA KYLE PACK, P.L.S.
L.S. NO. 8164

* * * * *

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 _____ 2024, 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 _____ 2024.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda