

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

APPROVING A LEASE AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO IMPLEMENT THE TERMS OF A LEASE WITH BAY SHIP AND YACHT COMPANY FOR SIXTY MONTHS IN BUILDING 292 LOCATED AT 1450 FERRY POINT AT ALAMEDA POINT

WHEREAS, Bay Ship and Yacht Company (Bay Ship) is a full service ship repair company headquartered along the estuary in Alameda and has captured a significant share of San Francisco Bay commercial dry-docking business, with the Alameda shipyard emerging as a state-of-the-art facility; and

WHEREAS, Bay Ship completed a \$10 million expansion project, which included reconstructing the shoreline, removing buildings, and locating a “ship elevator,” known as a syncrolift, facing the estuary that can be used to lift and transfer up to five large ferry vessels at a time to a new shoreline vessel repair area; and

WHEREAS, Bay Ship currently employs more than 250 skilled workers in Alameda; and

WHEREAS, Bay Ship is proposing to lease Building 292 for sixty months; and

WHEREAS, Building 292 is approximately two thousand seven hundred square feet located at 2480 Monarch Street; and

WHEREAS, the sole purpose for which the premises may be used by the tenant is for general office, shop and storage of parts and equipment; and

WHEREAS, the proposed monthly base rent is \$1,815.00 for months one to twelve; \$1,869.45 for months thirteen to twenty-four; \$1,925.53 for months twenty-five to thirty-six; \$1,983.30 for months thirty-seven to forty-eight; and \$2,042.80 for months forty-nine to sixty; and

WHEREAS, in addition to Base Rent, the tenant shall pay its share of common area maintenance costs, all costs for services, utilities and taxes for the Premises, and comply with lease requirements for insurance.

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 Bay Ship and Yacht Company for sixty months in Building 292 located at 1450 Ferry

Point at Alameda Point, 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 2nd day of December, 2014, 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 3rd day of December, 2014.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM

Janet C. Kern
City Attorney