

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 FOUR YEAR LEASE WITH FIVE THREE-YEAR EXTENSION  
OPTIONS AND RIGHT OF FIRST NEGOTIATION TO PURCHASE  
WITH GOOGLE INC. FOR BUILDING 400A LOCATED AT 1190 WEST  
TOWER AVENUE STREET AT ALAMEDA POINT

WHEREAS, Makani Power is a start-up company researching and developing new wind power technologies, including an airborne wind turbine; and

WHEREAS, in 2006 the City of Alameda entered into a lease agreement for Building 19 with Makani power; and

WHEREAS, in 2013, Makani Power was acquired by Google and in March 2014, the City approved a six-year lease with five consecutive three-year options with Google for Buildings 19 and 11 (Original Lease); and

WHEREAS, Google's leases for Buildings 19 and 11 included a right of first offer to lease for Buildings 400, 400A and 12; and

WHEREAS, Google is accepting the offer for building 400a as identified in their Original Lease; and

WHEREAS, the term of the Building 400A lease runs concurrent with Google's Original Lease.

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 Google Inc. for Building 400A located at 1190 West Tower Avenue at Alameda Point for ten years, 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

\* \* \* \* \*

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 \_\_\_\_\_, 2016, 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

\_\_\_\_\_  
Janet C. Kern  
City Attorney

