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 THREE YEAR LEASE WITH NO EXTENSTION OPTION AND A
RIGHT TO EARLY TERMINATION WITH PACIFIC PINBALL MUSEUM, A
CALIFORANIA CORPORATION, FOR BUILDING 169, SUITE 101
LOCATED AT 1650 VIKING STREET AT ALAMEDA POINT

WHEREAS, Pacific Pinball Museum is a non-profit organization that started in
2002 and has been a tenant at Alameda Point since 2006; and

WHEREAS, in 2006, the City of Alameda entered into a lease agreement
for Building 13 with Pacific Pinball Museum; and

WHEREAS, in 2012, the City approved a five-year lease with Pacific
Pinball for Building 13; and

WHEREAS, although Pacific Pinball Museum's current lease was valid
until October 31, 2017, they needed to be moved due to Site A development;
and

WHEREAS, Pacific Pinball Museum is being relocated to Building 169,
Suite 101; and

WHEREAS, because of being moved due Site A development, Pacific
Pinball Museum was offered below market-rate rent; and

WHEREAS, Pacific Pinball has a permitted use for a warehouse and
repair facility for historic pinball machines and all related administrative
functions; and

WHEREAS, Building 169, Suite 101 consists of approximately 43,355
square feet of rentable space; and

WHEREAS, the monthly base rent is $10,838.75 for months one to
twelve, $11,163.91 for months thirteen to twenty-four, and $11,498.83 for
months twenty-five to thirty-six; and

WHEREAS, this new proposed leas has no extension option and an early
termination right because Building 169 is located in the Site B development
area; and

WHEREAS, in addition to the base rent, Pacific Pinball Museum has
provided an $11,494.83 security deposit, representing one month's rent of

the final monthly base rent rate under this agreement and the tenant will comply with all other leasing requirements including provisional insurance that is satisfactory to the City.

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/her designee is hereby authorized to negotiate, execute, for and on behalf of the City of Alameda, a lease with Pacific Pinball Museum, a California corporation, for Building 169, Suite 101 located at 1650 Viking Street at Alameda Point for three (3) years, which includes no options to extend the Term and a Right to Early Termination with ninety (90) days' notice, each 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 ____ 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
City of Alameda