

CITY OF ALAMEDA ORDINANCE NO. _____
New Series

AUTHORIZING THE CITY MANAGER TO EXECUTE LEASE AMENDMENTS FOR RENT RELIEF PROGRAM WITH ALAMEDA POINT BEVERAGE GROUP, AUCTIONS BY THE BAY, BUILDING 43 & ASSOCIATES, FACTION BREWING, GROUP DELPHI, PROXIMO SPIRITS, SAILDRONE AND USS HORNET AIR & SPACE MUSEUM VIA THE NON-PROFIT SPIRITS ALLEY PROGRAM FOR RENT RELIEF IN RESPONSE TO THE COVID-19 PANDEMIC.

WHEREAS, on March 17, 2020, the City Council of the City of Alameda (the "City Council") adopted Resolution No. 3267, consistent with Section 3-12 of the City Charter, declaring the Covid-19 pandemic a local emergency, effective until April 7, 2020; and

WHEREAS, on April 21, 2020 the urgency measure was extended until the State's declaration of emergency is rescinded, or sooner should it be appropriate to lift the local emergency declaration prior to State action; and

WHEREAS, on March 17,, 2020 City Council approved a 60-day rent deferral program for commercial tenants of City-owned property and, on April 21, 2020, City Council approved an additional 30-day deferral to provide additional support and flexibility to tenants; and

WHEREAS, on April 21, 2020, City Council approved a COVID-19 Small Business Relief Grant Program, giving businesses City-wide an opportunity to apply for \$7,500 grants, but it was identified that the program offered little relief to Alameda Point tenants, who have an average monthly rent of \$20,000; and

WHEREAS, on May 19, 2020, City Council approved the Loan Conversion Program for Alameda Point tenants, which offered Alameda Point tenants, meeting certain minimum requirements, rent deferral that could be converted to a grant if certain staff-negotiated and City Manager-approved terms are met; and

WHEREAS, on October 6, 2020 Council approved the Nonprofit/Spirits Alley Rent Relief Program additional deferred rent repayment options for non-profit and Spirits Alley tenants.

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 execute, for and on behalf of the City of Alameda, lease amendments with Alameda Point Beverage Group, Auctions By The Bay, Building 43 & Associates, Faction Brewing, Group Delphi, Proximo Spirits, Saildrone and USS Hornet Air & Space Museum for the Non-Profit Spirits Alley Program, 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 resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the ____ day of _____ 2021, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSECTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this ____ day of _____ 2021.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda