

CITY OF ALAMEDA ORDINANCE NO. _____

New Series

APPROVING A THIRD AMENDMENT TO THE LEASE WITH
GREENWAY GOLF ASSOCIATES, INC., A CALIFORNIA
CORPORATION, FOR CHUCK CORICA GOLF COMPLEX

WHEREAS, the City of Alameda ("the City") is the owner of the real property commonly known as the Chuck Corica Golf Complex ("Golf Complex") located at 1 Clubhouse Memorial Road, Alameda, California 94502; and

WHEREAS, after an extensive RFP process, the City entered into a 20-year lease agreement with Greenway Golf Associates, Inc., a California corporation ("Greenway") to operate and maintain the Golf Complex, which lease is dated August 1, 2012 ("the Lease"); and

WHEREAS, the City and Greenway entered into a First Amendment to the Lease dated March 28, 2018, to address the North Course infrastructure needs, as well as improvements to the clubhouse, golf shop and outdoor patio space; and

WHEREAS, the City and Greenway entered into a Second Amendment to the Lease dated June __, 2021, to incorporate additional property into the premises subject to the Lease; and

WHEREAS, Greenway has requested, and the City has agreed, to amend the Lease to change the food and beverage exclusivity at the Golf Complex and to change the methodology for calculating rent; and

WHEREAS, pursuant to the City Charter, Article XXII, Section 22-12, the City Council, without requiring a public vote, may lease public park property which is defined to include the Golf Complex.

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, a lease amendment with Greenway Golf Associates, Inc., a California corporation, for the Chuck Corica Golf Complex, to change the food and beverage exclusivity at the Golf Complex and to change the methodology for calculating rent, 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 continued regular meeting assembled on the ____ day of _____ 2021 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 _____ 2021.

Lara Weisiger,
City Clerk City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda