

CITY OF ALAMEDA ORDINANCE NO. _____

APPROVING A PURCHASE AND SALE AGREEMENT FOR THE SALE OF CITY-OWNED PROPERTY LOCATED AT 650 WEST RANGER AVENUE (BUILDING 92) TO ERNST DEVELOPMENT PARTNERS, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS

WHEREAS, the City of Alameda (City) owns certain real property located at 650 West Ranger Avenue, commonly known as Building 92 (Property); and

WHEREAS, the Property is located within Alameda Point, the former Naval Air Station Alameda, a military base conveyed to the City by the United States Navy and subject to reuse and redevelopment consistent with applicable plans, policies, and agreements; and

WHEREAS, the Property is designated for adaptive reuse under the Alameda Point Adaptive Reuse (AP-AR) zoning district, which allows for a range of commercial and employment-generating uses within existing structures; and

WHEREAS, the City conducted a competitive Request for Proposals (RFP) process to solicit qualified buyers for the purchase and adaptive reuse of the Property, consistent with the City's disposition strategy for Alameda Point; and

WHEREAS, multiple proposals were received and evaluated based on criteria including development concept, financial capacity, experience, and alignment with City objectives; and

WHEREAS, following evaluation of proposals, the City identified Ernst Development Partners, Inc. (Buyer) as the preferred purchaser based on its qualifications, proposed use, financial feasibility, and consistency with the City's vision for Alameda Point; and

WHEREAS, the City and Buyer have negotiated a Purchase and Sale Agreement (PSA), which sets forth the terms and conditions for the sale of the Property, including, but not limited to, purchase price, due diligence period, closing conditions, and Buyer obligations; and

WHEREAS, the PSA requires Buyer to enter into a Public Improvement Agreement (PIA) to address certain infrastructure and site-related improvements associated with the Property; and

WHEREAS, the PSA provides that the Property will be conveyed in an "as-is" condition, subject to Buyer's independent investigation and due diligence; and

WHEREAS, concurrent with adoption of this Ordinance, the City Council adopted a resolution declaring the Property to be "exempt surplus land" pursuant to the California Surplus Land Act (Government Code Section 54220 et seq.), based on findings that the Property satisfies the statutory exemption applicable to former military bases; and

WHEREAS, the City Council finds that the proposed sale of the Property is consistent with the City of Alameda General Plan and the Alameda Point reuse objectives, including the adaptive reuse of existing buildings and the promotion of economic development; and

WHEREAS, the City Council has reviewed and considered the terms of the PSA and the proposed transaction and finds that the sale of the Property is in the best interests of the City; and

WHEREAS, the approval of the PSA and sale of the Property has been reviewed in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (14 CCR Section 15000 et seq.).

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Alameda that:

SECTION 1. Approval of Purchase and Sale Agreement.

The City Council hereby approves the Purchase and Sale Agreement between the City of Alameda and Ernst Development Partners, Inc., in substantially the form presented to the City Council, and authorizes the City Manager to execute the PSA and any related documents, including the Public Improvement Agreement and escrow instructions, subject to such minor modifications as the City Manager, in consultation with the City Attorney, deems necessary and appropriate to carry out the intent of this Ordinance.

SECTION 2. CEQA Determination.

The City Council finds that approval of the PSA and authorization of the sale of the Property is does not constitute a "project" as defined in CEQA Guidelines Section 15378 and therefore no further CEQA analysis is required. The transfer of ownership of the Property from the City to Buyer does not commit the City to any particular course of action that would have a reasonably foreseeable effect on the environment, nor would the transfer of ownership itself have such reasonably foreseeable effect. Any future proposals for the Property the will necessitate any permitting or other approvals by the City will be subject to the City's standard regulatory processes and further environmental review as applicable. Specifically, aany future development, rehabilitation, or reuse of the Property will be subject to separate environmental review in accordance with CEQA. On a separate and independent basis, approval of the PSA is from further CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) (the "common sense" exemption), as it can be seen with certainty that there is no possibility that the approval of the PSA itself will have a significant effect on the environment.

SECTION 3. General Plan Consistency.

The City Council finds that the proposed sale of the Property is consistent with the City of Alameda General Plan and applicable Alameda Point reuse policies, including the planned adaptive reuse of existing structures for commercial and employment-generating uses.

SECTION 4. Severability.

If any provision of this Ordinance is held by a court of competent jurisdiction to be invalid, this invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision and therefore the provisions of this Ordinance are severable. The City Council declares that it would have enacted each section, subsection, paragraph, subparagraph and sentence notwithstanding the invalidity of any other section, subsection, paragraph, subparagraph or sentence.

SECTION 5. Implied Repeal.

Any provision of the Alameda Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this Ordinance.

Section 6. Effective Date.

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

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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 5th day of May 2026 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 6th day of May 2026.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda