

CITY OF ALAMEDA ORDINANCE NO. 3242  
New Series

APPROVING A FIRST AMENDMENT TO THE LEASE AGREEMENT (LEASE AGREEMENT) AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE LEASE AGREEMENT WITH FRIENDS OF THE ALAMEDA ANIMAL SHELTER (FAAS) EXTENDING THE TERM BY TWO YEARS WITH THE SAME TERMS AND CONDITIONS, FOR THE FACILITY LOCATED AT 1590 FORTMANN WAY, ALAMEDA, CA 94501

WHEREAS, in January 2012, Friends of the Alameda Animal Shelter (FAAS) took over the management of Alameda's animal shelter from the City of Alameda (City) and entered into a 15-year contract for animal care services, which included the lease of a City owned building at 1590 Fortmann Way, Alameda, CA; and

WHEREAS, on June 6, 2017, the City Council approved a new services agreement with FAAS documented through two agreements, an Alameda Animal Shelter Services Agreement and a separate Lease Agreement; and

WHEREAS, on May 7, 2019, the City Council approved a first amendment to the services agreement with FAAS documented through two agreements, a First Amendment to Alameda Shelter Services Agreement and a separate First Amendment to Lease Agreement; and

WHEREAS, the base rent over the twenty four (24) months of the lease is \$1 per year.

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

Section 1. The City Manager of the City of Alameda or their designee is hereby authorized to negotiate and execute, for and on behalf of the City of Alameda, a lease with Friends of the Alameda Animal Shelter, Inc., a California nonprofit public benefit corporation for 1590 Fortmann Way for two 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 21<sup>st</sup> day of May, 2017, by the following vote to wit:

AYES: Councilmembers Daysog, Knox White, Oddie, Vella and Mayor Ezzy Ashcraft – 5.

NOES: None.

ABSENT: None.

ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 22<sup>nd</sup> day of May, 2017.

Lara Weisiger, City Clerk  
City of Alameda

APPROVED AS TO FORM:

\_\_\_\_\_  
Yibin Chen, City Attorney  
City of Alameda