



Legislation Details (With Text)

File #: 16-0466 **Version:** 1 **Name:** 2nd Renewal Lease with University Hospital
Type: Ordinance **Status:** Filed
File created: 3/7/2016 **In control:** Health and Community Wellness
On agenda: 8/3/2016 **Final action:** 9/8/2016

Title: AN ORDINANCE AUTHORIZING A SECOND RENEWAL LEASE AGREEMENT BETWEEN UNIVERSITY HOSPITAL (UH), A BODY CORPORATE AND POLITIC OF THE STATE OF NEW JERSEY (LANDLORD), AND THE CITY OF NEWARK, DEPARTMENT OF HEALTH AND COMMUNITY WELLNESS (TENANT) AUTHORIZING THE EXERCISING OF THE SECOND ONE YEAR RENEWAL OPTION PERIOD FOR THE LEASING OF THE PREMISES COMMONLY KNOWN AS 140 BERGEN STREET (CENTRAL WARD) BLOCK 211, LOT 1, FOR USE AS AN AMBULATORY CARE FACILITY, IN THE ANNUAL BASE RENT AMOUNT OF \$80,316.00, FOR THE PERIOD OF MARCH 1, 2016 THROUGH FEBRUARY 28, 2017.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/8/2016	1	Municipal Council	Close on Public Hearing and Adopt	Pass
8/3/2016	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE AUTHORIZING A SECOND RENEWAL LEASE AGREEMENT BETWEEN UNIVERSITY HOSPITAL (UH), A BODY CORPORATE AND POLITIC OF THE STATE OF NEW JERSEY (LANDLORD), AND THE CITY OF NEWARK, DEPARTMENT OF HEALTH AND COMMUNITY WELLNESS (TENANT) AUTHORIZING THE EXERCISING OF THE SECOND ONE YEAR RENEWAL OPTION PERIOD FOR THE LEASING OF THE PREMISES COMMONLY KNOWN AS 140 BERGEN STREET (CENTRAL WARD) BLOCK 211, LOT 1, FOR USE AS AN AMBULATORY CARE FACILITY, IN THE ANNUAL BASE RENT AMOUNT OF \$80,316.00, FOR THE PERIOD OF MARCH 1, 2016 THROUGH FEBRUARY 28, 2017.

[WHEREAS, on September 5, 2013, the Municipal Council adopted Ordinance 6PSF-C authorizing an original lease agreement (“Agreement”) between University Hospital (UH) (Landlord) and the City of Newark, Department of Child and Family Well-Being n/k/a Health and Community Wellness (Tenant), which was amended by the Municipal Council on January 22, 2014, through Ordinance 6PSF-H (“First Amended Agreement,” and collectively with Agreement, the “Lease Agreement”); and

WHEREAS, the Lease Agreement set forth the commencing date of the lease to be September 1, 2013 or date of occupancy by tenants, whichever is later and permitted two one-year extension options; and

WHEREAS, the Tenant began occupying the Leased Premises on March 1, 2014, for a term of March 1, 2014 through February 28, 2015; and

WHEREAS, on September 2, 2015 the Municipal Council adopted Ordinance 6PSF-E authorizing the Landlord and Tenant to exercise the first option to extend the Lease Agreement for the period of March 1, 2015 through February 29, 2016; and

WHEREAS, The Landlord and the Tenant desire to exercise the second and final available option to extend the Lease Agreement for the period of March 1, 2016 through February 28, 2017 ("Second Renewal Lease Agreement"), at the same base rent of \$80,316.00 (approximately \$23.00 per rentable square foot) set forth in first year of the Lease Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Section 1. The City is authorized to exercise its second one year renewal option to continue leasing the premises commonly known as 140 Bergen Street, Block 211, Lot 1 for use as an Ambulatory Care Facility, pursuant to N.J.S.A. 40:60-25.51, for the period of March 1, 2016 through February 28, 2017.

Section 2. The Mayor and/or his designee, the Director of Health and Community Wellness, is hereby authorized to enter into and execute a Second Renewal Lease Agreement between University Hospital (UH) (Landlord) and the City of Newark, Department of Child and Family Well-Being n/k/a the Department of Health and Community Wellness (Tenant), in the form attached hereto, to continue leasing the premises commonly known as 140 Bergen Street, Block 211, Lot 1, for use as an Ambulatory Care Facility, pursuant to N.J.S.A. 40:60-25.51, for the period of March 1, 2016 through February 28, 2017, at the same base rent of \$80,316.00 (approximately \$23.00 per rentable square foot) set forth in first year of the Lease Agreement. Additionally, all charges for additional rent, utilities, communications, furniture and equipment, additional charges, housekeeping and waste disposal shall remain the same as per the terms set forth in the Lease Agreement.

Section 3. Except as otherwise expressly modified hereby, all terms and provisions of the Lease Agreement, as amended, remain in full force and effect in accordance with their terms.

Section 4. This Second Renewal Lease Agreement is ratified from March 1, 2016 until the final passage and publication of this authorizing Ordinance.

Section 5. There shall be no advance payment on this Second Renewal Lease Agreement in accordance with N.J.A.C. 40A: 5-16.

Section 6. A copy of the Second Renewal Lease Agreement is attached hereto and made part hereof.

Section 7. A copy of this Second Renewal Lease Agreement and this Ordinance shall be permanently filed in the Office of the City Clerk by the Director of Health and Community Wellness.

Section 8. Attached hereto are Certifications of Funds by the Director of Finance in the amount of \$145,442.52 which states (1) that there are legally appropriated funds for the purpose set forth hereinabove and (2) that the line appropriation of the official budget which shall be charged are as follows:

Business Unit:	Dept. ID	Account	Budget Ref.	Amount
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NW025	GLP	46540	B2016	\$65,126.52
NW026	GLP	46540	B2016	\$43,955.00
NW026	GLP	46540	B2016	\$36,361.00

Section 9. The Second Renewal Lease Agreement satisfies and is in compliance with Newark Municipal Ordinance 2:4-16.

Section 10. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance authorizes the Mayor and/or his designee, the Director of the Department of Health and Community Wellness, to enter into and execute a Second Renewal Lease Agreement, on behalf of the City of Newark, Tenant, with University Hospital (UH), Landlord, exercising the City's second available one year renewal option period for the leasing of the premises commonly known as 140 Bergen Street, Block 211, Lot 1, for use as an Ambulatory Care Facility, pursuant to N.J.S.A. 40:60-25.51, for the period of March 1, 2016 through February 28, 2017, at the same base rent of \$80,316.00 (approximately \$23.00 per rentable square foot) set forth in first year of the Lease Agreement. Additionally, all charges for additional rent, utilities, communications, furniture and equipment, additional charges, housekeeping and waste disposal shall remain the same as per the terms set forth in the Lease Agreement.]