



Legislation Details (With Text)

File #: 13-2414 **Version:** 1 **Name:** University Hospital amending Ordinance & Agreement
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File created: 12/12/2013 **In control:** Health and Community Wellness
On agenda: 1/8/2014 **Final action:** 1/22/2014
Title: AN ORDINANCE AMENDING ORDINANCE 6PSF-C ADOPTED ON SEPTEMBER 5, 2013 AND AUTHORIZING A FIRST AMENDED LEASE AGREEMENT BETWEEN UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY N/K/A UNIVERSITY HOSPITAL (UH) (LANDLORD) AND THE CITY OF NEWARK, DEPARTMENT OF CHILD AND FAMILY WELL-BEING (TENANT), FOR the UTILIZATION OF A PORTION OF LEVEL E OF THE PREMISES commonly known as 140 Bergen Street, Block 211, Lot 1 (the "Leased Premises") AS AN AMBULATORY CARE FACILITY CONSISTENT WITH HEALTH AMBULATORY CARE REGULATIONS N.J.A.C. TITLE 8, CHAPTER 43A.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/22/2014	1	Municipal Council	Close on Public Hearing and Adopt	Pass
1/8/2014	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE AMENDING ORDINANCE 6PSF-C ADOPTED ON SEPTEMBER 5, 2013 AND AUTHORIZING A FIRST AMENDED LEASE AGREEMENT BETWEEN UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY N/K/A UNIVERSITY HOSPITAL (UH) (LANDLORD) AND THE CITY OF NEWARK, DEPARTMENT OF CHILD AND FAMILY WELL-BEING (TENANT), FOR THE UTILIZATION OF A PORTION OF LEVEL E OF THE PREMISES COMMONLY KNOWN AS 140 BERGEN STREET, BLOCK 211, LOT 1 (THE "LEASED PREMISES") AS AN AMBULATORY CARE FACILITY CONSISTENT WITH HEALTH AMBULATORY CARE REGULATIONS N.J.A.C. TITLE 8, CHAPTER 43A.

WHEREAS, on September 5, 2013 the Municipal Council adopted Ordinance 6PSF-C authorizing a lease agreement between the University of Medicine and Dentistry of New Jersey n/k/a University Hospital (Landlord) and the City of Newark, Department of Child and Family Well-Being (Tenant), for the utilization of a portion of Level E of the premises commonly known as 140 Bergen Street, also known as Block 211, Lot 1, on the Official Tax Maps of the City of Newark, New Jersey, (the "Leased Premises"), for public utilization as an Ambulatory Care Facility; and

WHEREAS, the parties desires to amend the lease to clarify certain terms and conditions which were finalized after the restructuring of the University of Medicine and Dentistry of New Jersey, of which University Hospital was previously a part of; and

WHEREAS, all of the amending terms and conditions are set forth in the First Amendment

Agreement attached hereto are made a part of this Ordinance.

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

Section 1. The Mayor and/or his designees, the Director of the Department of Child and Family Well-Being and the Business Administrator of the City of Newark, are hereby authorized to enter into a First Amended Lease Agreement, in the form attached hereto and made part hereof, between the City of Newark (Tenant) and University Hospital (Landlord), for the leasing of a portion of Level E of the premises commonly known as 140 Bergen Street, Block 211, Lot 1 (the "Leased Premises"), pursuant to N.J.S.A. 40:60-25.51, for public utilization as Ambulatory Care Facility.

Section 2. All other terms of the Lease Agreement not otherwise amended in the First Amended Lease Agreement shall remain in full force and effect.

Section 3. In the event the terms of the Lease Agreement conflict with the terms in the First Amended Lease Agreement, the language in First Amended Lease Agreement shall control.

Section 4. There shall be no advance payment on this lease.

Section 5. A copy of the First Amended Lease Agreement and this amending Ordinance shall be permanently filed in the Office of the City Clerk by the Director of the Department of Child and Family Well-Being.

Section 6. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

Section 7. Attached hereto is the amending Certification of Funds by the Chief Fiscal Officer, City of Newark, in the amount of \$49,307.04 for the first year of lease from legal appropriation of the official budget, which shall be charged, is Business Unit: NW026; Dept.I.D GLP; Account #46540; Budget Reference #B2013. Should the City exercise any of its Options to extend the Lease Agreement, as amended, all funds for said option period shall be certified prior to the beginning of the option term and a copy of the Certification of Funds shall be filed in the Office of the City Clerk after Council approves said lease agreement.

Section 8. Any prior ordinances or parts thereof inconsistent herewith are hereby repealed.

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

STATEMENT:

Passage of this Ordinance amends Ordinance 6PSF-c adopted September 5, 2013, and authorizes The Mayor and/or his designees, the Director of the Department of Child and Family Well-Being and the Business Administrator of the City of Newark to enter into a First Amended Lease Agreement, between the City of Newark (Tenant) and University Hospital (Landlord), for the leasing

of a portion of Level E of the premises commonly known as 140 Bergen Street, Block 211, Lot 1 (the "Leased Premises"), pursuant to N.J.S.A. 40:60-25.51, for public utilization as Ambulatory Care Facility.