



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: 10/25/2021 **Final action:** 10/27/2021

Title: To authorize the Director of Finance and Management to execute those documents necessary to enter into a Second Amendment to Lease Agreement with ASMRE Holdings, LLC and authorizes the City Auditor to assign lease payments authorized by Ordinance 2121-2021 on Certificate ACP006978 from PLM Company, LLC to ASMRE Holdings, LLC; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
10/27/2021	1	CITY CLERK	Attest	
10/26/2021	1	MAYOR	Signed	
10/25/2021	1	COUNCIL PRESIDENT	Signed	
10/25/2021	1	Columbus City Council	Approved	Pass

Background: Since October 1, 2014, on behalf of Columbus Public Health, the City has leased approximately 3,145 square feet of medical office space located at 3933 Livingston Avenue to house a Women, Infants and Children (WIC) clinic. The current Lease Agreement (“Lease”), effective August 1, 2019 and authorized by City Council Ordinance 1717 -2019, is by and between PLM Company, LLC as the Landlord and the City as the Tenant. PLM Company, LLC sold the 3933 Livingston Avenue property and the City’s leasehold interest in to ASMRE Holdings, LLC.

In order to memorialize the change in Landlord in the Lease Agreement, the City and ASMRE Holdings, LLC, as successor in interest to PLM Company, LLC, desire to enter into a Second Amendment to Lease Agreement to assign the Lease Agreement to ASMRE Holdings, LLC as Landlord and to change the Rent Payment Address and the Notice provisions to reflect the change in Landlord.

This legislation authorizes the Director of Finance and Management to execute those documents necessary to enter into a Second Amendment to Lease Agreement with ASMRE Holdings, LLC of that certain Lease Agreement, effective October 1, 2019, to recognize ASMRE Holdings, LLC as successor in interest to PLM Company, LLC as Landlord and to revise the Rent Payment Address and the Notice provision of the Lease to indicate the correct address for the new Landlord and authorizes the City Auditor to assign funds authorized by Ordinance 2121-2021 on Certificate ACPO006987 for payment of rent from PLM Company, LLC to ASMRE Holdings, LLC as Landlord. All other terms, conditions, and provisions of the Lease will remain unchanged and in full force and effect. This legislation is presented as emergency measure.

Fiscal Impact: \$0.00

Emergency Action: This legislation is presented as an emergency measure to allow for payment of the September and October monthly rent to the new ownership entity at the earliest possible date to comply with the terms of the Lease.

To authorize the Director of Finance and Management to execute those documents necessary to enter into a Second Amendment to Lease Agreement with ASMRE Holdings, LLC and authorizes the City Auditor to assign lease payments authorized by Ordinance 2121-2021 on Certificate ACP006978 from PLM Company, LLC to ASMRE Holdings, LLC; and to declare an emergency. (\$0.00)

WHEREAS, the Department of Finance and Management, through its Real Estate Management Office, leases medical office space located at 3933 Livingston Avenue on behalf of Columbus Public Health for a Women, Infants and Children (WIC) clinic; and

WHEREAS, the property and the City's leasehold interest have been sold to ASMRE Holdings, LLC; and

WHEREAS, it is necessary to amend the Lease Agreement to memorialize the City's new Landlord and the correct entity to receive rent payments and to amend other provisions as necessary to reflect this change in Landlord; and

WHEREAS, it is necessary to authorizes the City Auditor to assign funds for the payment of rental expenses authorized by Ordinance 2121-2021 on Certificate ACPO006987 from PLM Company, LLC to ASMRE Holdings, LLC as Landlord; and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Department in that it is necessary to authorize the Finance and Management Director to enter into a Second Amendment to Lease Agreement with ASMRE Holdings, LLC., in order to allow for the immediate payment of the monthly rent to the new ownership entity at the earliest possible date to comply with the terms of the Lease Agreement for the immediate preservation of the public health, peace, property, safety and welfare; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of Finance and Management be, and hereby is, authorized to execute a Second Amendment to Lease Agreement by and between the City of Columbus and ASMRE Holdings, LLC, as prepared and approved by the Department of Law, Division of Real Estate.

SECTION 2. That the City Auditor is authorized to make any accounting changes necessary to ensure that this lease expense is properly accounted for and recorded accurately on the City's financial records to reflect payments to ASMRE Holdings, LLC.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.