



Legislation Details (With Text)

File #: 1112-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/11/2022 **In control:** Finance Committee

On agenda: 5/2/2022 **Final action:** 5/5/2022

Title: To authorize the Director of Finance and Management to execute those documents necessary to enter into a Third Amendment to Lease Agreement with Community for New Direction, Inc.; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/5/2022	1	CITY CLERK	Attest	
5/4/2022	1	MAYOR	Signed	
5/2/2022	1	COUNCIL PRESIDENT	Signed	
5/2/2022	1	Columbus City Council	Approved	Pass

Background: The City, on behalf of Columbus Public Health, 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"), authorized by City Council Ordinance 2028-2014 and as amended by that First Amendment To Lease Agreement authorized by City Council Ordinance 1717-2019, as further amended by that Second Amendment To Lease Agreement authorized by City Council Ordinance 2678-2021, recognized ASMRE Holdings, LLC as Landlord and the City as the Tenant. ASMRE Holdings, LLC recently sold the 3933 Livingston Avenue property and the City's leasehold interest to the Community for New Direction, Inc.

In order to memorialize the change in Landlord in the Lease Agreement, the City and Community for New Direction, Inc., as successor in interest to ASMRE Holdings, LLC, desire to enter into a Third Amendment to Lease Agreement to assign the Lease Agreement to Community for New Direction, Inc. as Landlord and to change the Rent Payment Address and the Notice provisions to reflect the change in Landlord. Consequently, this legislation authorizes the Director of Finance and Management to execute those documents necessary to enter into a Third Amendment to Lease Agreement with Community for New Direction, Inc. to recognize Community for New Direction, Inc. as Landlord as the successor in interest to ASMRE Holdings, LLC and to revise the mailing address for payment of rent and the Notice provision of the Lease to reflect the correct address of the new Landlord. All other terms, conditions, and provisions of the Lease will remain unchanged and in full force and effect. Community for New Direction, Inc. is a registered vendor with the City of Columbus, Vendor Account Number 005361.

Fiscal Impact: \$0.00

Emergency Action: This legislation is presented as an emergency measure to allow for the April and subsequent monthly rent payments to be made to the new ownership entity, Community for New Direction, Inc., at the earliest possible date to comply with the terms of the Lease Agreement.

To authorize the Director of Finance and Management to execute those documents necessary to enter into a Third Amendment to Lease Agreement with Community for New Direction, Inc.; 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 as authorized by City Council Ordinance 2028-2014 and as amended by that First Amendment To Lease Agreement authorized by City Council Ordinance 1717-2019, as further amended by that Second Amendment To Lease Agreement authorized by City Council Ordinance 2678-2021; and

WHEREAS, the property and the City's leasehold interest have been sold to Community for New Direction, Inc., and

WHEREAS, it is necessary to further amend the Lease Agreement to document the City's new Landlord as the correct entity to receive rent payments and to amend other provisions as necessary to reflect this change in 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 Third Amendment to Lease Agreement with Community for New Direction, Inc. 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; and 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 those documents necessary, as prepared and approved by the Department of Law, Division of Real Estate to enter into a Third Amendment to Lease Agreement by and between the City of Columbus and Community for New Direction, Inc.

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.

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.