

9/6/2017

75-R-17

AN ORDINANCE

Authorizing the City Manager to Execute an Amendment to the Commercial Lease of City-Owned Real Property Located at 1804 Maple Avenue with PharmaCann, LLC

WHEREAS, the City of Evanston owns certain real property located at 1800 Maple Avenue, Evanston, Illinois 60201, which is improved with a parking garage and a couple of commercial units on the ground floor (the "Property"); and

WHEREAS, one of the commercial units at the Property is leased to a commercial tenant, Pharamcann LLC, authorized by a lease agreement with a term of May 1, 2015 – December 31, 2017 and provides 2 options to extend the lease for 3 years each; and

WHEREAS, in August, 2013, Illinois Governor Patrick Quinn signed Public Act 098-0122 "The Compassionate Use of Medical Cannabis Pilot Program Act" into law with an effective date of January 1, 2014 (the "Medical Cannabis Act") and the Pilot Program expires on December 31, 2017; and

WHEREAS, the Medical Cannabis Act allows for the establishment of sixty (60) medical cannabis dispensaries and cultivation centers for the prescribing of medical cannabis to qualifying patients throughout Illinois. The statute provides for 60 dispensaries to be distributed throughout Illinois by designated geographic areas; and

WHEREAS, Pharmacann, LLC was awarded the dispensary license in District 34 for the Property location in 2015 ("License") and has been in operation at the Property upon the license award; and

WHEREAS, Pharmacann seeks to amend the first extension option from 3 years to 1 year and keep the second extension option the same; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Evanston to negotiate and execute the attached amendment to the lease by and between the City, as Landlord, and PharmaCann, LLC, as the Tenant, for the operation of a medical cannabis dispensary at the Property,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: The City Manager is hereby authorized and directed to execute a First Amendment to Lease Agreement (“Amendment”) to the above mentioned lessee, attached hereto and incorporated by reference as Exhibit “1”, by and between the City of Evanston and PharmaCann.

SECTION 2: Pursuant to modified language authorized by this resolution, Tenant elects to exercise the option to extend the lease for one year. The extension term under the Lease is January 1, 2018 – December 31, 2018.

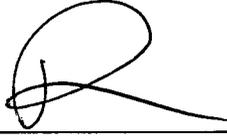
SECTION 3: The City Manager is hereby authorized and directed to negotiate any additional conditions of the Amendment as he may determine to be in the best interests of the City.

SECTION 4: This Resolution 75-R-17 shall be in full force and effect from and after its passage and approval in the manner provided by law.



Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Adopted: September 25th, 2017

EXHIBIT 1
LEASE AMENDMENT