

No. 6FC 1st Reading

JUN 15 2016

Ordinance

Date to Mayor JUL 08 2016
Date Returned JUL 11 2016

No. Public Hearing

JUL 07 2016

of the

Date Resubmitted To Council

No. 6PSFC 2nd Rdg. and Final Passage

City of Newark, N.J.

Date Advertised 1st Reading

No. Reconsidered

Final Reading

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Corporation Counsel

Council Member Charafield Jenkins presents the following Ordinance:

Tracy Frederick
Title
Asst Director of Staff
Juliana BA

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ORDINANCE TO DE-DESIGNATE THE HOUSING AUTHORITY OF THE CITY OF NEWARK AS THE REDEVELOPMENT ENTITY FOR BLOCK 161, LOT 1.02 IN THE NEWARK PLAZA URBAN RENEWAL REDEVELOPMENT AREA AND TO AUTHORIZE THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH BORAIE DEVELOPMENT, LLC.

WHEREAS, on July 14, 2004, the City of Newark ("City") utilized the powers of Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. to designate land within the Downtown Newark area as an "area in need of redevelopment," commonly known as the Newark Downtown Core District Redevelopment Area ("Redevelopment Area"); and

WHEREAS, on October 6, 2004, the Municipal Council adopted Ordinance 6S&Ff adopting the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan ("Plan"), which has been amended from time to time; and

WHEREAS, on October 6, 2004, the Municipal Council adopted Resolution 7Rbc appointing the Housing Authority of the City of Newark ("Authority") as the City's Redevelopment Entity for the purpose of implementing the Plan on behalf of the City in accordance with N.J.S.A. 40A:12A-4(c); and

WHEREAS, on or about August 5, 2010, the Authority entered into a Redevelopment Agreement with Boraie Development, LLC, or its related entities, such as Newark Urban Renewal Company, LLC ("Redevelopment Agreement"), to implement a portion of the Newark Plaza Urban Renewal Redevelopment Plan concerning Block 161, Lot 1.02; and

WHEREAS, on September 2, 2015, the Municipal Council the adopted Ordinance 6PSF-b authorizing the Fourth Amendment to the Newark Downtown Core District Redevelopment Plan and Amendment to the Newark Plaza Urban Renewal Plan; and

WHEREAS, on Ordinance 6PSF-b adopted on September 2, 2015, the Municipal Council also authorized the de-designation of the Housing Authority as Redevelopment Entity for the Newark Downtown Core District Redevelopment Area upon the transfer of Triangle Park Properties from various Redevelopers within the Redevelopment Area to the Authority; however, allowed the Authority to continue as the Redevelopment Entity for the Newark Plaza Urban Renewal Redevelopment Area and specifically for Block 161, Lot 1.02; and

WHEREAS, on November 10, 2015, the Municipal Council authorized the execution of a Settlement Agreement between the City and Boraie Development, LLC to avoid litigation regarding the Triangle Park properties and the Redevelopment Area; and

WHEREAS, N.J.S.A. 40A:12A-4 authorizes the Governing Body to adopt an Ordinance to change or rescind the designation of a redevelopment entity responsible for implementing a redevelopment plan and the new redevelopment entity assume the obligations of the former redevelopment entity with the consent of redevelopers and the former redevelopment entity and;

No. 6PSF-c

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WHEREAS, N.J.S.A. 40A:12A-8 authorizes the City to contract with redevelopers to implement its redevelopment plans.

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

Section 1. Pursuant to N.J.S.A. 40A:12A-4, upon receiving written consent from the Housing Authority and Newark Plaza Urban Renewal Company LLC, the City of Newark hereby de-designates the Housing Authority as the Redevelopment Entity for the property located at Block 161, Lot 1.02 within the Newark Plaza Renewal Redevelopment Area.

Section 2. Pursuant to N.J.S.A. 40A:12A-8(f), upon the de-designation of the Housing Authority as the Redevelopment Entity for Block 161, Lot 1.02, the Mayor and/or Deputy Mayor/Director of the Department of Economic and Housing Development, are each hereby authorized to enter into an Assignment and Assumption Agreement with the Housing Authority for the City of Newark to assume the Redevelopment Agreement and are further authorized to revise and execute an amendment to the Redevelopment Agreement with Boraie Development, LLC, 120 Albany Street, Suite 800, New Brunswick, New Jersey 08901, and/or its affiliated entity Newark Plaza Urban Renewal Company LLC, concerning Block 161, Lot 1.02.

STATEMENT

Ordinance authorizing: (1) the de-designation of the Housing Authority of the City of Newark as the Redevelopment Entity for the property located at Block 161, Lot 1.02, within the Newark Plaza Renewal Redevelopment Area, and, upon the de-designation, (2) the Mayor and/or Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into an Assignment and Assumption Agreement with the Housing Authority for the City of Newark to assume the Redevelopment Agreement and further authorizing them to revise and execute an amendment to the Redevelopment Agreement with Boraie Development, L.L.C.

CERTIFIED TO BY ME THIS
JUL 11 2016

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE					RECORD OF COUNCIL VOTE FOR RECONSIDERATION									
Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB	Council Member	AYE	NAY	NV	AB
Amador <small>Vice President</small>				<input checked="" type="checkbox"/>	Osborne				<input checked="" type="checkbox"/>	Amador <small>Vice President</small>				
Gonzalez	<input checked="" type="checkbox"/>				Quintana	<input checked="" type="checkbox"/>				Gonzalez				
James	<input checked="" type="checkbox"/>				Ramos, Jr.	<input checked="" type="checkbox"/>				James				
Chaneyfield Jenkins	<input checked="" type="checkbox"/>				Crump <small>President</small>	<input checked="" type="checkbox"/>				Chaneyfield Jenkins				
McCallum, Jr.	<input checked="" type="checkbox"/>									McCallum, Jr.				

- Indicates Vote

AB - Absent

NV - Not Voting

Adopted on first reading at a meeting of the Council of the City of Newark, N.J., on JUN 15 2016

Adopted on second and final reading after hearing on JUL 07 2016

Approved
Rejected By _____ Mayor

[Signature]
Council President

[Signature]
City Clerk