



Legislation Details (With Text)

**File #:** 21-1227      **Version:** 1      **Name:** State of the City License Agreement and Gift for New Jersey Performing Arts Center Corporation

**Type:** Resolution      **Status:** Adopted

**File created:** 8/18/2021      **In control:** Administration

**On agenda:** 10/20/2021      **Final action:** 10/20/2021

**Title:** Dept/ Agency: Administration/Office of the Business Administrator  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Accepting a Gift and License Agreement  
 Gift: Basic License Fee for the use of the Prudential Hall, Parsonnet Room, and ticketing services for the purpose of the 2021 State of the City Mayoral Address.  
 Purpose: To accept a gift and execute short term license agreement with the New Jersey Performing Arts Center Corporation, for the use of Prudential Hall Theatre and the Parsonnet Room, valued at \$14,000.00 and gift fee for ticketing services, a gift valued at \$1,500.00 to be held on Tuesday, October 26, 2021, for a total combined gift of \$15,500.00 and total amount not to exceed \$60,000.00.  
 Entity Name: New Jersey Performing Arts Center Corporation (NJ PAC)  
 Entity Address: One Center Street, Newark, New Jersey 07102  
 Gift Value: \$15,500.00  
 City Contribution: Ancillary Service Fees in the amount of \$60,000.00.  
 Other Funding Source/Amount: \$0.00  
 Contract Period: October 26, 2021  
 Additional Information:  
 No municipal funds will be expended for the acceptance of this gift.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/20/2021	1	Municipal Council	Adopt	Pass

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**Entity Address:** One Center Street, Newark, New Jersey 07102  
**Gift Value:** \$15,500.00  
**City Contribution:** Ancillary Service Fees in the amount of \$60,000.00.  
**Other Funding Source/Amount:** \$0.00  
**Contract Period:** October 26, 2021  
**Additional Information:**  
 No municipal funds will be expended for the acceptance of this gift.

**WHEREAS**, the Mayor of the City of Newark (the “City”), is desirous of holding the 2021 State of the City Address at the Prudential Hall Theatre located in the New Jersey Performing Arts Center, on Tuesday, October 26, 2021; and

**WHEREAS**, the New Jersey Performing Arts Center Corporation, a New Jersey not-for-profit corporation, having an office at One Center Street, Newark, New Jersey 07102 (“NJ PAC”) has agreed to permit the City to use the Prudential Hall Theatre and the Parsonnet Room at the New Jersey Performing Arts Center in exchange for the City agreeing to enter into a Short Term License Agreement for the ancillary service fees for an estimated amount of Fifty-One Thousand Five Hundred Dollars and Zero Cents (\$51,500.00), which the City needs to pay to NJ PAC, no later than October 31, 2021; and

**WHEREAS**, the ancillary service fees are currently estimated at Fifty-One Thousand Five Hundred Dollars and Zero Cents (\$51,500.00), but are subject to change depending upon artists fees and related production fees which are based on the event needs on the day of the event, but in no instance shall the final ancillary service fees exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00); and

**WHEREAS**, the City must enter into a Short Term License Agreement for the use of the Prudential Hall Theatre and the Parsonnet Room at the New Jersey Performing Arts Center for an amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00), representing the final ancillary service fees and related artist and production fees, which the City needs to pay to NJ PAC no later than October 31, 2021; and

**WHEREAS**, NJ PAC has offered to waive the basic license fee charges for the use of the Prudential Hall Theatre and the Parsonnet Room, a gift valued at Fourteen Thousand Dollars and Zero Cents (\$14,000.00), and is also waiving the fee for ticketing services, a gift valued at One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00), for a total combined gift valued at Fifteen Thousand Five Hundred Dollars and Zero Cents (\$15,500.00) and expects nothing in return and will receive nothing in return for making this generous gift; and

**WHEREAS**, the City of Newark wishes to accept this gift of Fifteen Thousand Five Hundred Dollars and Zero Cents (\$15,500.00), pursuant to N.J.S.A. 40A:5-29; and

**WHEREAS**, the Municipal Council has indicated its support of the Mayoral event by approving the execution of the Short Term License Agreement and the acceptance of the gift described herein.

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

1. The Mayor of the City of Newark and/or his designee are hereby authorized to enter into and execute a Short Term License Agreement, in the form attached hereto, with the New Jersey Performing Arts Center Corporation, a New Jersey not-for-profit corporation having an office at One Center Street, Newark, New Jersey 07102 for the ancillary service fees and related artist and production fees associated with the use of the Prudential Hall Theatre and the Parsonnet Room for the Mayor’s State of the City Address to be held on Tuesday, October 26, 2021, for a total amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00).

2. The Mayor of the City of Newark and/or his designee are authorized to accept the gift of the Basic License Fee charges for the use of Prudential Hall Theatre and the Parsonnet Room a gift valued at Fourteen Thousand Dollars and Zero Cents (\$14,000.00), and a gift of the Fee for Ticketing Services, a gift valued at One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00) for a total combined gift valued at Fifteen Thousand Five Hundred Dollars and Zero Cents (\$15,500.00).

3. No municipal funds will be expended for the acceptance of this gift.

4. The Director of Communications shall file a copy of the Short Term License Agreement in the Office of the City Clerk.

5. Attached hereto is the Certification of Funds from the Director of the Department of Finance, which states that there are available sufficient legally appropriated funds in the amount Sixty Thousand Dollars and Zero Cents (\$60,000.00) for the purposes set forth herein provided from: Business Unit: NW011; Department: 200; Div./Proj.: 2001; Activity A; Account#: 96770; Budget Year: B2021.

6. There shall be no amendments to the contract, unless the amendments are in a writing, executed by both parties, and approved by the Municipal Council by resolution.

### **STATEMENT**

This Resolution authorizes the Mayor of the City of Newark, and/or his designee, to enter into and execute a Short Term License Agreement with the New Jersey Performing Arts Center Corporation, a New Jersey not-for-profit corporation having an office at One Center Street, Newark, New Jersey 07102 for the ancillary service fees and related artist and production fees associated with the use of the Prudential Hall Theatre and the Parsonnet Room for the Mayor's State of the City Address to be held on Tuesday, October 26, 2021 for a total amount not to exceed \$60,000.00. This resolution further authorizes the Mayor of the City of Newark and/or his designee, to accept the gift of the Basic License Fee charges for the use of Prudential Hall Theatre and the Parsonnet Room a gift valued at \$14,000.00, and a gift of the Fee for Ticketing Services, a gift valued at \$1,500.00 for a total combined gift valued at \$15,500.00.