



Legislation Details (With Text)

File #: 16-1749 **Version:** 1 **Name:** 2016 Tax Appeal Refunding Ordinance \$9,675,000
Type: Ordinance **Status:** Adopted
File created: 11/9/2016 **In control:** Finance
On agenda: 11/14/2016 **Final action:** 12/7/2016

Title: REFUNDING BOND ORDINANCE PROVIDING FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$9,675,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$9,675,000.00 BONDS OR NOTES OF THE CITY OF NEWARK FOR FINANCING THE COST THEREOF.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/7/2016	1	Municipal Council	Close on Public Hearing and Adopt	Pass
11/14/2016	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

REFUNDING BOND ORDINANCE PROVIDING FOR THE PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$9,675,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$9,675,000.00 BONDS OR NOTES OF THE CITY OF NEWARK FOR FINANCING THE COST THEREOF.

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

Section 1. The City of Newark, in the County of Essex, New Jersey (the "City"), is hereby authorized to pay, and there is hereby appropriated the amount of \$9,675,000.00 to pay, or to refund amounts previously authorized and paid by the City, for amounts owed to the owners of various properties for taxes levied in the City (as a result of settlements entered into by the City with such owners or as a result of final judgments of courts of competent jurisdiction entered against the City), as more particularly described on a list of owners and properties available for inspection in the Office of the City Clerk.

Section 2. An aggregate amount not exceeding \$250,000.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of

refunding bonds authorized herein.

Section 3. In order to finance the purpose described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$9,675,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of refunding bonds, negotiable refunding bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes ("notes") issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Governing Body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. A certified copy of this refunding Bond Ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services, in the Department of

Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 6. The City has previously authorized and has made payments for the purposes described in Section 1 hereof on October 31, 2016. The City reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this Bond Ordinance in an aggregate not to exceed the amount of bonds or notes authorized in Section 1 hereof. This Section 6 is a declaration of the City's official intent to reimburse itself out of the proceeds of any bonds or notes issued hereunder for the purposes described in Section 1 hereof as required by the Internal Revenue Code of 1986, as amended and the regulations promulgated hereunder.

Section 7. This Bond Ordinance shall be adopted by 2/3 vote of the full membership of the Municipal Council of the City.

Section 8. This Bond Ordinance shall take effect upon approval thereof as provided in Section 7 hereof, approval by the Mayor and 20 days after the first publication thereof after final adoption and approval thereof, as provided by the Local Bond Law, but the effective date of this Bond Ordinance after publication thereof shall be contingent upon the receipt of the approval of and the endorsement of the consent of the Local Finance Board upon a certified copy of this Bond Ordinance as finally adopted.

STATEMENT

Refunding Bond Ordinance providing for the payment of amounts owing to others for taxes levied in and by the City of Newark, in the County of Essex, New Jersey, appropriating \$9,675,000.00 therefore and authorizing the issuance of \$9,675,000.00 Bonds or Notes of the City of Newark for financing the cost thereof.