



Legislation Details (With Text)

File #: 11-1317 **Version:** 1 **Name:** Use and Occupancy Agreement - Newark Housing Authority - Use of Parking lot

Type: Resolution **Status:** Adopted

File created: 11/23/2011 **In control:** Administration

On agenda: 12/21/2011 **Final action:** 12/21/2011

Title: Dept/ Agency: Administration/Office of the Business Administrator
 Action: (x) Ratifying (X) Authorizing () Amending
 Type of Service: Use and Occupancy Agreement
 Purpose: Utilize parking lot owned by the Newark Housing Authority consisting of all parcels of land and adjacent sidewalks, bounded on four sides by Lafayette Street, Columbia Street, Green Street and Mulberry Street, known as Block 866, in the tax maps of the City of Newark, County of Essex, State of New Jersey.
 Entity Name: Newark Housing Authority
 Entity Address: 500 Broad Street, Newark, NJ 07102
 Contract Amount: \$1.00 (one dollar)
 Contract Period: (November 7, 2011 through revocation of agreement by NHA)
 Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
 () Fair & Open () No Reportable Contributions () RFP () RFQ
 () Private Sale () Grant () Sub-recipient (X) n/a
 List of Property: (If applicable)
 (Address/Block/Lot/Ward)
 Additional Information:

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|------------|------|-------------------|--------|--------|
| 12/21/2011 | 1 | Municipal Council | Adopt | Pass |

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Whereas, the Municipal Council is desirous of providing parking to employees displaced from the Washington Street Parking Lot, commencing on November 7, 2011, in the parking lot owned by the Newark Housing Authority (“NHA”), bounded on four sides by Lafayette Street, Columbia Street, Green Street and Mulberry Street (hereinafter, the “Site”); and

Whereas, the City of Newark (“the City”) has agreed to provide for the maintenance, upkeep and security at the Site, related to such use; and

Whereas, the Newark Housing Authority is desirous in assisting the City of Newark in providing parking for the municipal employees and has requested that the City of Newark execute a Use and Occupancy Agreement to formalize the use of the parking lot for the stated purpose; and

Whereas, the City has agreed to pay \$1.00 (One dollar) United States currency, to the NHA, for the use of the Premises.

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

1. That it does hereby authorize the Insurance Fund Commission of Newark, New Jersey, to execute on behalf of the Municipal Council, a Hold Harmless and Indemnification Agreement providing for the indemnification for any claims arising out of the City of Newark’s use of the Newark Housing Authority Parking Lot, bounded on four sides by Lafayette Street, Columbia Street, Green Street and Mulberry Street, commencing on Monday, November 7, 2011, beginning at 6:00 a.m. through 6:00 p.m. and continuing on weekdays, until such time as the consent to such use is revoked by the Newark Housing Authority; and the Business Administrator or his designee, the Assistant Business Administrator are authorized to execute a Use and Occupancy Agreement for said use in exchange for the payment of \$1.00 (One Dollar) as nominal consideration to the Newark Housing Authority.

This authority is ratified from November 7, 2011, to the date of the adoption of this resolution.

2. That the City Clerk, on behalf of the Newark Municipal Council shall, forward a true copy of the Hold Harmless Agreement to the Newark Housing Authority, 500 Broad Street, Newark, New Jersey.
3. A copy of the executed Hold Harmless Agreement drawn by the Insurance Fund

Commission shall be filed in the Office of the City Clerk.

4. That a fully executed copy of the Use and Occupancy Agreement shall be filed by the Business Administrator in the Office of the City Clerk.

5. That the payment of the nominal consideration shall be from City of Newark 2011 Budget.

Statement

Ratifying and authorizing the City of Newark Insurance Fund Commission to Hold Harmless and Indemnify the Newark Housing Authority, 500 Broad Street, Newark, New Jersey for the use of the Newark Housing Authority parking lot, bounded on four sides by Lafayette Street, Columbia Street, Green Street and Mulberry Street, for employee parking, commencing on November 7, 2011, until such consent is revoked by the Newark Housing Authority; and the Business Administrator, or his designee, to execute a Use and Occupancy Agreement with the Newark Housing Authority for said use, for the nominal consideration of \$1.00 (One Dollar).