



Legislation Details (With Text)

**File #:** 17-1569      **Version:** 1      **Name:** Prudential Gift for Escrow Funds from Redevelopment Agreement

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

**File created:** 8/24/2017      **In control:** Administration

**On agenda:** 10/4/2017      **Final action:** 10/4/2017

**Title:** Dept/ Agency: Administration/Office of the Business Administrator  
 Action: (X) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Accepting a Donation/Gift  
 Gift: \$13,458.82  
 Purpose: Acceptance of charitable gift from The Prudential Insurance Company of America in the amount of \$13,458.82 remaining in a Development Agreement escrow account  
 Entity Name: The Prudential Insurance Company of America  
 Entity Address: 751 Broad Street, Newark, New Jersey 07102  
 Gift Value: \$13,458.82  
 City Contribution: \$0.00  
 Other Funding Source/Amount: N/A  
 Contract Period: N/A  
 Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/4/2017	1	Municipal Council	Adopt	Pass

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**WHEREAS,** The Prudential Insurance Company of America (“Prudential”) received approval for, and commenced the construction of, a three (3)-phased development on property designated as Block 51 and Block 52 on the Tax Map of the City of Newark (“Property”). Prudential completed (i) the Phase 1 development of a 20-story office building along with an accessory parking garage and retail space on Block 51 (“Phase 1 Development”), which is bordered by Broad Street, Halsey Street, New Street, and (former) West Park Street, and (ii) the Phase 2 development consisting of demolition of some of the existing structures located on Block 52 and the construction and/or improvement of retail u

ses along portions of Broad and Halsey Streets on Block 52. The remainder of Block 52 was developed with a short-term surface parking lot and will be maintained as green open space until such time as Phase 3 may be developed; and

**WHEREAS**, to construct the Phase 1 Development, Prudential needed to acquire certain properties owned by the City and identified as Block 51, Lots 1, 49, 50 and 59 (collectively, the “City Lots”); and

**WHEREAS**, Prudential and the City entered into a written Development Agreement dated as of June 26, 2012 (“Development Agreement”), and under Section 4.6 thereof, Prudential agreed to reimburse the City for legal and other consulting fees incurred by the City in assisting the City with (i) the sale of the City Lots to Prudential, and (ii) the Redevelopment Project (as defined in the Development Agreement); and

**WHEREAS**, during the term of the Development Agreement, Prudential deposited a total of \$550,000.00 with the City and there remains an escrow balance of \$13,458.82; and

**WHEREAS**, The Prudential Insurance Company of America agrees to donate the remaining escrow balance in the amount of \$13,458.82 as a charitable gift and expects nothing in return, and will receive nothing in return; and

**WHEREAS**, the City of Newark wishes to accept this gift pursuant to N.J.S.A. 40A:5-29.

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

1. Pursuant to N.J.S.A. 40A:5-29, the Mayor and/or his designee, the Business Administrator, on behalf of the City of Newark, is authorized to accept the charitable gift from The Prudential Insurance Company of America in the amount of \$13,458.82 remaining in a Development Agreement escrow account.

2. No municipal funds will be expended in connection with this charitable gift. No consideration in any form will be provided to The Prudential Financial Insurance Company of America or any of its affiliated and related entities in exchange for this charitable gift.

3. The City of Newark assert that they expect nothing in return for the gift to the City of Newark.

### **STATEMENT**

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Business Administrator, to accept the charitable gift from The Prudential Insurance Company of America in the amount of \$13,458.82 remaining in a Development Agreement escrow account. No municipal funds will be expended in connection with this charitable gift. No consideration in any form will be provided to The Prudential Insurance Company of America or any of its affiliated and related entities in exchange for this charitable gift.

