



Legislation Details (With Text)

**File #:** 15-1825      **Version:** 1      **Name:** First Amended And Restated Redevelopment Agreement And Lease Agreement  
**Type:** Resolution      **Status:** Filed  
**File created:** 9/18/2015      **In control:** Economic and Housing Development  
**On agenda:** 11/5/2015      **Final action:** 11/5/2015

**Title:** Dept/ Agency: Economic & Housing Development  
Action: ( ) Ratifying (X) Authorizing (X) Amending  
Type of Service: Amending Redevelopment Agreement/Lease Agreement  
Purpose: First Amended And Restated Redevelopment Agreement And Lease Agreement  
Entity Name: Alpert and Alpert Development, Ltd.  
Entity Address: 1 Parker Plaza Fort Lee, New Jersey 07024  
Sale Amount: N/A  
Cost Basis: ( ) \$ PSF ( ) Negotiated (X) N/A ( ) Other:  
Assessed Amount: N/A  
Appraised Amount: N/A

Contract Period:  
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:  
(Address/Block/Lot/Ward)  
276-300 Clinton Avenue /Block 2670/Lot 1.14 / South Ward

Additional Information:  
This resolution authorizes the First Amended and Restated Redevelopment Agreement And Lease Agreement between the City of Newark ("City") and Alpert and Alpert Development, Ltd. ("Redeveloper") to revise the redevelopment project to authorize the development of 12,000 square foot health care center within the South Ward, which shall be leased by the City for health care services within the South Ward.

**Sponsors:** John Sharpe James, Anibal Ramos, Jr.

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/5/2015	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.*, as amended and supplemented (the “**Act**”), authorizes municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, in accordance with the criteria set forth in the Act, on October 21, 1998, the Municipal Council adopted Resolution 7RW designating 216 properties within the South Ward of the City as areas in need of redevelopment in order to stimulate redevelopment in accordance with the Act (“Redevelopment Area”)

**WHEREAS**, on April 7, 1999, the City adopted the South Ward Redevelopment Plan through Ordinance 6S&FI (“Redevelopment Plan”), which sets forth the plan for the Redevelopment Area; and

**WHEREAS**, on May 16, 2000, the City of Newark adopted Resolution 7RB(S) 051600 that authorized the private sale and redevelopment of City Block 2670 located within a Redevelopment Area to Alpert and Alpert Development, Ltd. 1 Parker Plaza Fort Lee, New Jersey 07024 (“Redeveloper”); and

**WHEREAS**, on or about April 14, 2001, the City and the Redeveloper entered into a “Contract for Private Sale of Land for Redevelopment” (“Existing Redevelopment Agreement”) and

**WHEREAS**, Redeveloper has developed all Lots within the Block except Block 2670, Lot 1.14, which is commonly known as 276-300 Clinton Avenue (the “Property”); and

**WHEREAS**, the City and Redeveloper have agreed to the development of a new project on the Property consisting of the construction of a 12,000 square foot federally qualified health care center (the “Project”) by the Redeveloper; and

**WHEREAS**, the City and the Redeveloper desire to amend the Existing Redevelopment Agreement in accordance with, and for the purposes set forth in, with this First Amended and Restated Redevelopment Agreement and Lease Agreement, which is attached hereto.

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

1. The Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized to amend the Existing Redevelopment

Agreement by entering into the First Amended and Restated Redevelopment Agreement and Lease Agreement between the City of Newark and Alpert And Alpert Development, Ltd., 1 Parker Plaza Fort Lee, New Jersey 07024 ("Redeveloper"), in the form attached hereto for the purpose of amending the previous project from a 12,000 square foot retail and/or residential project to a 12,000 square foot federally qualified health care center.

2. Following receipt of a Certificate of Occupancy for the Project, in accordance with the First Amended and Restated Redevelopment Agreement and Lease Agreement, the City agrees to Lease the Project from the Redeveloper for Seventeen Thousand Five Hundred Dollars (\$17,500.00) per month.
3. Attached hereto is a partial certification of funds from the Director of Finance which states that (1) there are sufficient funds available in the 2015 Budget for the purpose set forth hereinabove and (2) the line appropriation of the official budget which shall be charged is: Business Unit: NW025, Department ID: BS, Account: 32100; and Budget Ref. B2015. The remainder of the funding required for the purpose set forth hereinabove will be subject to appropriation in future year Budgets and included in a line item for the award of this agreement. There will be no expenditure of funds authorized until a certification of funds is obtained and a copy filed with the City Clerk.
4. A copy of the executed First Amended and Restated Redevelopment Agreement and Lease Agreement, this resolution and the certification of funds shall be placed on file in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into a the First Amended and Restated Redevelopment Agreement and Lease Agreement between the City of Newark and Alpert and Alpert Development, Ltd., 1 Parker Plaza Fort Lee, New Jersey 07024. The purpose of the First Amended and Restated Redevelopment Agreement and Lease Agreement is for the construction of a federally qualified health care facility so that the City of Newark can provide health care services to the residents within the South Ward. Following receipt of a Certificate of Occupancy, and in accordance with the First Amended and Restated Redevelopment Agreement and Lease Agreement, the City agrees to Lease the Project from the Redeveloper for Seventeen Thousand Five Hundred Dollars (\$17,500.00) per month.