



Legislation Details (With Text)

File #: 18-0216 **Version:** 1 **Name:**
Type: Ordinance **Status:** Adopted
File created: 2/14/2018 **In control:** Recreation, Cultural Affairs and Senior Services
On agenda: 4/4/2018 **Final action:** 5/10/2018

Title: ORDINANCE RATIFYING AND AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF RECREATION, CULTURAL AFFAIRS AND SENIOR SERVICES ON BEHALF OF THE CITY OF NEWARK (LESSOR) TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH THE PUERTO RICAN DAY PARADE, INC., (LESSEE) FOR THE PROPERTY LOCATED AT 201 BLOOMFIELD AVENUE, NEWARK, NEW JERSEY 07104, (BLOCK 536, LOT 1), FOR A PERIOD OF ONE (1) YEAR COMMENCING ON MARCH 1, 2018 AND TERMINATING ON FEBRUARY 28, 2019, FOR THE SUM OF ONE DOLLAR AND ZERO CENTS (\$1.00), AND WITH FIVE (5) ONE (1) YEAR OPTIONS TO RENEW, SUBJECT TO MUNICIPAL COUNCIL APPROVAL.

Sponsors: Anibal Ramos, Jr., Luis A. Quintana

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/10/2018	1	Municipal Council	Close on Public Hearing and Adopt	Pass
4/24/2018	1	Municipal Council	Adopt on First Reading	Pass
4/18/2018	1	Municipal Council	No Action Taken	
4/4/2018	1	Municipal Council	Advance to First Reading	Pass

ORDINANCE RATIFYING AND AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF RECREATION, CULTURAL AFFAIRS AND SENIOR SERVICES ON BEHALF OF THE CITY OF NEWARK (LESSOR) TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH THE PUERTO RICAN DAY PARADE, INC., (LESSEE) FOR THE PROPERTY LOCATED AT 201 BLOOMFIELD AVENUE, NEWARK, NEW JERSEY 07104, (BLOCK 536, LOT 1), FOR A PERIOD OF ONE (1) YEAR COMMENCING ON MARCH 1, 2018 AND TERMINATING ON FEBRUARY 28, 2019, FOR THE SUM OF ONE DOLLAR AND ZERO CENTS (\$1.00), AND WITH FIVE (5) ONE (1) YEAR OPTIONS TO RENEW, SUBJECT TO MUNICIPAL COUNCIL APPROVAL.

WHEREAS, the City of Newark (the “Lessor”) owns the premises commonly known as 201 Bloomfield Avenue, Newark, New Jersey 07104 (Block 536, Lot 1, on the Official Property Map of the City of Newark) and also commonly known as the Vince Lombardi Center of Hope; and

WHEREAS, the Puerto Rican Day Parade, Inc. (the “Lessee”), a non-profit corporation of the State of New Jersey with tax exempt status with both the State of New Jersey and Federal Government, is serving a public purpose and qualifies, pursuant to N.J.S.A. 40A:12-14(c), to enter into a lease agreement with the City of Newark for nominal consideration; and

WHEREAS, the Lessee desires to enter into a lease agreement with the Lessor, for a period commencing on March 1, 2018 and terminating on February 28, 2019 (the “Initial Term”), with five (5) one (1) year options to renew (the “Optional Period”), subject to Municipal Council approval, for

nominal consideration in accordance with the terms and conditions of the lease agreement, (attached hereto and made a part hereof); and

WHEREAS, the aforesaid premise is not currently needed for use by the Lessor; and

WHEREAS, the leasing of the aforesaid premise is governed by the provisions of the Local Lands and Building Law, N.J.S.A. 40A:12-14(c).

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

Section 1. The Mayor and/or his designee, the Director of the Department of Recreation, Cultural Affairs and Senior Services, is hereby authorized to enter into and execute a lease agreement, on behalf of the City of Newark, with the Puerto Rican Day Parade, Inc., for the leasing of the premises commonly known as 201 Bloomfield Avenue, Newark, New Jersey 07104, (Block 536, Lot 1 on the Official Property Map of the State of New Jersey) for a period of one (1) year commencing on March 1, 2018 and terminating on February 28, 2019 (“Initial Term”) with five (5) one (1) year options to renew (“Option Period”), in accordance with the terms and conditions annually agreed to by the parties and subject to the annual approval of the Municipal Council.

Section 2. The Municipal Council hereby ratifies the lease agreement between the Lessor and Lessee from March 1, 2018 to the date of adoption of this ordinance (a copy of said Lease Agreement is attached hereto and made apart hereof).

Section 3. The Lessee shall pay to the Lessor the sum of One Dollar and Zero Cents (\$1.00) annually, as nominal consideration in accordance with the terms and conditions of the lease agreement.

Section 4. The above said premises shall be used by the Lessee for the sole purpose of maintaining and operating Lessor-approved cultural programs which shall promote the health, safety, and general welfare of the City of Newark community.

Section 5. The Department of Recreation, Cultural Affairs and Senior Services shall be responsible for the enforcement of the covenants, terms and conditions of the lease agreement.

Section 6. The Executive Director of the Lessee or her/his designated agent, shall annually submit a report to the Director of the Department of Recreation, Cultural Affairs and Senior Services summarizing the use to which the leasehold was put during each year, the activities of the Lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status as a non-profit corporation pursuant to both the State and Federal Law, as required by N.J.S.A. 40A:12-14(c).

Section 7. A copy of the Lease Agreement and this ordinance shall be permanently filed in the Office of the City Clerk by the Director of the Department of Recreation, Cultural Affairs and Senior Services.

Section 8. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This ordinance hereby ratifies and authorizes the Director of the Department of Recreation, Cultural Affairs and Senior Services to enter into and execute a Lease Agreement on behalf of the City of Newark with the Puerto Rican Day Parade, Inc., for leasing the premises commonly known as 201 Bloomfield Avenue, Newark, New Jersey 07104, (Block 536, Lot 1 on the Official Property Map of the State of New Jersey) and also commonly known as the Vince Lombardi Center of Hope, for a period of one (1) year commencing on March 1, 2018 and terminating on February 28, 2019 (“Initial Term”) with five (5) one (1) year options to renew (“Optional Period”), in accordance with Terms and Conditions annually agreed to by the parties and subject to the annual approval of the Municipal Council.