



Legislation Details (With Text)

File #: 21-1175 **Version:** 1 **Name:** Resolution: Waiving Twenty (20) Day Effective Date of Ordinance re: Amendment to Lease Agreement with Miller Street Development Urban Renewal, LLC
Type: Resolution **Status:** Adopted
File created: 8/5/2021 **In control:** Mayor's Office
On agenda: 8/17/2021 **Final action:** 8/19/2021

Title: Dept./Agency: Office of the Mayor
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Waiving 20 day period for an ordinance to take effect
Purpose: This resolution seeks to authorize an emergency be declared to exist, for Ordinance 6F-y adopted on August 4, 2021 on First Reading, which is an amendment to the lease agreement with Miller Street Development Urban Renewal, LLC as landlord extending target completion date and date on which the City of Newark may terminate, if premises are not completed and ready for occupancy related to the residential homeless shelter and associated office space under construction at the former Miller Street School, located at 47-71 Miller Street, 61-75 Frelinghuysen Avenue and 47-61 Vanderpool Street, Newark, New Jersey 07114 (South Ward,) pursuant to N.J.S.A. 40A:12-5.
Ordinance No(s):
Ordinance 6F-y, adopted on First Reading by the Municipal Council on August 4, 2021.
Additional Information:

No Action Taken 8-c (s) 081721

Sponsors: John Sharpe James, Luis A. Quintana

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/19/2021	1	Municipal Council	Adopt	Pass
8/17/2021	1	Municipal Council	No Action Taken	

Dept./Agency: Office of the Mayor
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Waiving 20 day period for an ordinance to take effect
Purpose: This resolution seeks to authorize an emergency be declared to exist, for Ordinance 6F-y adopted on August 4, 2021 on First Reading, which is an amendment to the lease agreement with Miller Street Development Urban Renewal, LLC as landlord extending target completion date and date on which the City of Newark may terminate, if premises are not completed and ready for occupancy related to the residential homeless shelter and associated office space under construction at the former Miller Street School, located at 47-71 Miller Street, 61-75 Frelinghuysen Avenue and 47-61 Vanderpool Street, Newark, New Jersey 07114 (South Ward,) pursuant to N.J.S.A. 40A:12-5.
Ordinance No(s):
Ordinance 6F-y, adopted on First Reading by the Municipal Council on August 4, 2021.
Additional Information:

No Action Taken 8-c (s) 081721

WHEREAS, the City of Newark (the "City"), like many large urban areas throughout the

country, is experiencing a homeless crisis as one of the most pressing and urgent issues concerning public health and safety and is in need of quality living space to aid in the temporary housing assistance of Newark's homeless individuals and families; and

WHEREAS, on August 4, 2021, the Municipal Council approved Ordinance 6F-y, which authorizes the amendment to lease agreement with Miller Street Development Urban Renewal, LLC as landlord for a residential homeless shelter and associated office space; and

WHEREAS, on August 4, 2021, Ordinance 6F-y was advanced and adopted on first reading by the Municipal Council and is scheduled for a Public Hearing, Second Reading and Final Passage on August 17, 2021; and

WHEREAS, the City has located a suitable location consisting of approximately 24,749 square feet of gross rentable square feet of space (the "Premises") in the former Miller Street School located at 47-71 Miller Street (also known as 61-75 Frelinghuysen Avenue and 47-61 Vanderpool Street), Newark, New Jersey, 07114, also shown on the Official Tax Map of the City of Newark, as Block 2794, Lots 1 and 26 (the "Building"); and

WHEREAS, the City, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-5, and Ordinance 6PSF-g, adopted by the Municipal Council on June 2, 2021, entered into a lease agreement with the Landlord for the Premises with a completion target date of September 15, 2021, and an outside completion date of November 1, 2021; and

WHEREAS, due to delays, the Landlord has requested an extension of the above referenced dates to reflect a new completion target date of December 1, 2021, and an outside completion date of January 15, 2022; and

WHEREAS, the City wishes to enter into the Lease Amendment with the Landlord to reflect such changes in dates with the balance of the Lease to remain in full force and effect; and

WHEREAS, there is an exigent need to amend the lease agreement with the Landlord for a residential homeless shelter and associated office space; and

WHEREAS, the delay in the implementation of this ordinance could mean an influx of homeless individuals and families living on streets and other places not meant for human habitation as a result of the COVID pandemic and the end of the eviction moratorium; and

WHEREAS, N.J.S.A. 40:69A-181(b) authorizes a Governing Body to adopt a resolution declaring an emergency and authorizing that an Ordinance take immediate effect, so long as at least two-thirds of all the members of the Governing Body vote in favor of such Resolution; and

WHEREAS, the Municipal Council recognizes the exigent need for Ordinance 6PSF-z to be adopted on August 17, 2021, to take immediate effect, so that there is no influx of homeless individuals and families living on the streets and other places not meant for human habitation; and

WHEREAS, the Municipal Council has determined that it is therefore necessary and appropriate to adopt this Resolution pursuant to N.J.S.A. 40:69A-181(b) declaring an emergency and determining that Ordinance 6PSF-z is adopted on August 17, 2021, shall take immediate effect upon the Mayor's signature and publication.

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

1. As a result of the reasons set forth herein and the important public policies enunciated, an emergency is hereby declared to exist and Ordinance 6PSF-z to be adopted on August 17, 2021, authorizing an amendment to lease agreement with Miller Street Development Urban Renewal, LLC as landlord for a residential homeless shelter and associated office space at the former Miller Street School, to become effective, once adopted by the Municipal Council after Public Hearing, Second Reading and Final Passage and signature of the Mayor and publication, in accordance with N.J.S.A. 40:69A-181(b) due to the exigent need to enter into a lease agreement with the Landlord for a residential homeless shelter and associated office space in order that the influx of persons affected by the COVID pandemic and the end of the eviction moratorium do not end up on the streets or other places not meant for human habitation.

STATEMENT

This resolution authorizes an emergency to be declared, and further authorizes Ordinance 6PSF-z to be adopted on August 17, 2021, authorizing an amendment to lease agreement with Miller Street Development Urban Renewal, LLC as landlord for a residential homeless shelter and associated office space at the former Miller Street School, to become effective, once adopted by the Municipal Council after Public Hearing, Second Reading and Final Passage and signature of the Mayor and publication, in accordance with N.J.S.A.40:69A-181(b) due to the exigent need to enter into a lease agreement with the Landlord for a residential homeless shelter and associated office space in order that the influx of persons affected by the COVID pandemic and the end of the eviction moratorium do not end up on the streets or other places not meant for human habitation.