



## Legislation Details (With Text)

<b>File #:</b>	24-0852	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>		Adopted	
<b>File created:</b>	6/3/2024	<b>In control:</b>		Law	
<b>On agenda:</b>	6/5/2024	<b>Final action:</b>		6/5/2024	
<b>Title:</b>	<p>Dept/ Agency: Law Action: ( ) Ratifying (X) Authorizing ( ) Amending Type of Service: License Agreement Purpose: To provide for the installation and maintenance of food lockers on City property. Entity Name: Brookdale ShopRite, Inc. Entity Address: 1409 Broad Street, Bloomfield, New Jersey 07003 Contract Amount: \$0.00 Funding Source: New Jersey Economic Development Authority Contract Period: Date of installation of food lockers until three (3) years, thereafter Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS ( ) Fair &amp; Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ ( ) Private Sale (X) Grant ( ) Sub-recipient (X) n/a Additional Information: The food lockers will be made available with the assistance of a grant from the NJEDA, which will enable residents within the City's South Ward Food Desert Community to place and have delivered, on-line orders from Brookdale ShopRite, Inc., including orders eligible for purchase with Supplemental Nutrition Assistance Program benefits. No City funds are required.</p>				
<b>Sponsors:</b>	Patrick O. Council, Carlos M. Gonzalez				
<b>Indexes:</b>					
<b>Code sections:</b>					

Date	Ver.	Action By	Action	Result
6/5/2024	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Law  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** License Agreement  
**Purpose:** To provide for the installation and maintenance of food lockers on City property.  
**Entity Name:** Brookdale ShopRite, Inc.  
**Entity Address:** 1409 Broad Street, Bloomfield, New Jersey 07003  
**Contract Amount:** \$0.00  
**Funding Source:** New Jersey Economic Development Authority  
**Contract Period:** Date of installation of food lockers until three (3) years, thereafter  
**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale (X) Grant ( ) Sub-recipient (X) n/a  
**Additional Information:**  
The food lockers will be made available with the assistance of a grant from the NJEDA, which will enable residents within the City's South Ward Food Desert Community to place and have delivered, on-line orders from Brookdale ShopRite, Inc., including orders eligible for purchase with Supplemental Nutrition Assistance Program benefits.

No City funds are required.

**WHEREAS**, Food deserts are geographic areas where residents have few or no convenient options for obtaining affordable and healthy foods, such as fresh fruits and vegetables; and

**WHEREAS**, no single cause gives rise food deserts, but several structural and logistical factors contribute to its existence, including, but not limited to, poverty, race and ethnicity, health indicators, supermarket access, Supplemental Nutrition Assistance Program ("SNAP") enrollment, vehicle access, single-mother percentages of households, unemployment rate, obesity rate, and population density; and

**WHEREAS**, in January 2021, the State of New Jersey (State") enacted the *Food Desert Relief Act*, P.L. 2020, c. 156, §35 ("*FDRA*"), directing the New Jersey Economic Development Authority ("NJEDA") to address the food security needs of communities across the State by providing tax credits, loans, grants, and/or technical assistance to increase access to nutritious foods and developing new approaches to alleviate food deserts; and

**WHEREAS**, on or about January 4, 2022, the NJEDA designated fifty (50) food desert communities ("FDC") throughout New Jersey, with the Newark South Ward FDC named as the third most acute FDC in the State; and

**WHEREAS**, pursuant to the FDRA, the NJEDA developed the *Food Retail Innovation in Delivery Grant* ("*FRIDG*") Program which allows food retailers to purchase and install temperature controlled lockers to expand the food delivery options of FDC residents; and

**WHEREAS**, on or about December 19, 2023, the NJEDA awarded its first grant under the FRIDG Program to Brookdale ShopRite, Inc. ("Brookdale ShopRite"), a family-owned business with ShopRite stores in Newark's Central Ward and in Bloomfield, New Jersey; and

**WHEREAS**, Brookdale ShopRite desires to utilize the \$250,000.00 grant from NJEDA to purchase a temperature controlled locker ("food locker") to be installed on the property adjacent to the Shani Baraka Women's Center in Newark's South Ward, which will enable South Ward residents to place on-line grocery orders from Brookdale ShopRite, including orders eligible for purchase with SNAP benefits, and to have said groceries delivered to the food locker; and

**WHEREAS**, Brookdale ShopRite has committed to waive all delivery fees for groceries delivered to the food locker; and

**WHEREAS**, the food lockers will remove certain structural and logistical barriers to fresh and affordable groceries for many hardworking Newark South Ward FDC residents, including parents with small children, caregivers to sick people, people with transportation or mobility issues, the elderly, and people with health conditions; and

**WHEREAS**, the Business Administrator recommends that the City of Newark institute a pilot program for FDCs throughout the City by entering into a license agreement with Brookdale ShopRite permitting that food retailer to install food lockers on property where the Shani Baraka Women's Center is situated; and

**WHEREAS**, to take advantage of that under the FRIDG Program, the NJEDA awards only one

grant per FDC, and Brookdale ShopRite has received the grant for the Newark South Ward FDC.

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

1. The Mayor and/or his designee, the Business Administrator, is hereby authorized to enter into and execute a license agreement with Brookdale ShopRite, Inc., located at 1409 Broad Street, Bloomfield, New Jersey 07003, granting it a non-exclusive license for the installation and maintenance of food lockers on the property where the Shani Baraka Women's Center is situated. Said agreement shall be in a form substantially similar to the attached licensed agreement. The license agreement in its finalized form is subject to the approval of the Corporation Counsel.
2. The term of the license agreement shall be for three (3) years, with two additional one (1) year renewals.
3. There shall be no amendments to the license agreement without the prior approval of the Municipal Council.
4. The Business Administrator shall cause a fully executed copy of the license agreement to be filed in the Office of the City Clerk.

**STATEMENT**

This Resolution authorizes the Mayor, and/or his designee, the Business Administrator, to enter into a license agreement with Brookdale Shoprite, Inc., 1409 Broad Street, Bloomfield, New Jersey 07003, allowing that food retailer to install and maintain food lockers on city property situated in the Newark South Ward Food Desert Community. The lockers will permit Newark residents to place and have delivered on-line grocery orders from Brookdale Shoprite, Inc., including orders eligible for purchase with Supplemental Nutrition Assistance Program benefits. This license agreement will have a three-year term with two (2) additional (1) year renewals.