



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-1778, Version: 1

Dept/ Agency: Economic & Housing Development

Action: (X) Ratifying (X) Authorizing () Amending

Type of Service: Pass Through Agreement

Purpose: To provide a Pass-Thru Agreement between the City of Newark and Newark Downtown District Management Corporation for the UEZ Downtown Safety Initiative Program

Entity Name: Newark Downtown District Management Corporation

Entity Address: 15 Clinton Street, Newark, New Jersey 07102

Grant Amount: \$100,000.00

Funding Source: New Jersey Urban Enterprise Zone Authority

Total Project Cost: \$360,000.00

City Contribution: \$72,000.00

Other Funding Source/Amount: N/A

Contract Period: Two (2) years from the date of adoption by the Municipal Council.

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale (X) Grant (X) Sub-recipient () n/a

Additional Information:

Resolution 7R3-D(S) 051308 authorizing application and acceptance of grant funds and authorizing City to enter into Grant Agreement.

Ordinance 6S&FE 090298 established the Newark Downtown Special Improvement District

WHEREAS, the State of New Jersey created an Enterprise Zone Assistance Fund (the "Fund"), pursuant to N.J.S.A. 52:27H-88, *et seq.* for the purpose of assisting qualified municipalities located within the areas designated as Enterprise Zones, the proceeds of which are available to requesting qualified municipalities upon written application to the New Jersey Urban Enterprise Zone Authority (the "Authority"); and

WHEREAS, through Resolution 7R3-D(S), adopted on May 13, 2008, the City of Newark Municipal Council authorized the Mayor, Business Administrator and the Director of Newark Office of Urban Enterprise Zone to submit an application to the Authority requesting funds in the amount of Two Hundred Eighty-Eight Thousand Dollars (\$288,000.00) with a local match of Seventy-Two Thousand Dollars (\$72,000.00) or 20% of the total project costs of Three Hundred Sixty Thousand Dollars (\$360,000.00) to finance a project entitled The Downtown Safety Program Phase 1 (the "Downtown Safety Program"); and

WHEREAS, the initial parameters of the Downtown Safety Program called for the funding of two (2) Newark Police Officers and three (3) unarmed "Safety Officers," as well as the purchase of certain communication equipment, bicycles and radios; and

WHEREAS, on June 12, 2008, the Authority advised the City that it approved its application for funding for the Downtown Safety Program and the Municipal Council, through Resolution 7R3-D

(S) 051308, authorized the Mayor, Business Administrator and the Director of Newark Office of Urban Enterprise to enter into a grant agreement setting forth the terms and conditions of the Authority's approval under the Fund; and

WHEREAS, on November 1, 2011 the Commissioner of the State of New Jersey, Department of Community Affairs ("DCA"), informed the City of Newark in writing that it intended to provide the City with the balance of all administrative and project funds created for the City's UEZ account through June 30, 2012, subject to the City providing the DCA with a list of projects and related amounts that have been allocated, along with a status of the projects and the timeline for the expenditure of funds; and (a copy of the DCA letter and the City's status letter is attached hereto); and

WHEREAS, on or about March 2012 the City of Newark provided the DCA with its list of all of the approved UEZ projects, which included the Downtown Safety Program; and

WHEREAS, the Municipal Council, through Ordinance 6S&FE, adopted on September 2, 1998, established a Special Improvement District, authorized pursuant to N.J.S.A. 40:56-65, *et seq.*, to be known as the Newark Downtown Special Improvement District to provide supplemental services within the District covering fifty-six (56) blocks in downtown Newark bounded generally by Central Avenue in the North, Branford Place/Edison Place in the South, University Avenue in the West, and Union Street (just beyond Newark Penn Station) in the East (the "Newark Downtown District"); and

WHEREAS, on or about May 15, 1998 the Newark Downtown District Management Corporation was incorporated pursuant to Title 15 A of the New Jersey Statutes for the purpose of, among other things, managing the Newark Downtown Special Improvement District; and

WHEREAS, in furtherance of the Downtown Safety Program, the Newark Downtown District Management Corporation has agreed to partner with the City and build out a facility that will be used as a Police Substation in the Central Business District to serve as the hub of the Downtown Safety Program; and

WHEREAS, on June 20, 2012, the Department of Economic and Housing and Development sought approval from the DCA, the Department now responsible for the Fund, to amend the Scope of Services to the above Grant Agreement for the Downtown Safety Program to utilize three (3) Newark Police Officers and employ "Safety Ambassadors" rather than "Safety Officers" and to enter into a Pass-Thru Agreement with the Newark Downtown District Management Corporation whereby it would receive One Hundred Thousand Dollars (\$100,000.00) of the New Jersey Enterprise Zone Assistance Funds granted to the City on June 12, 2008 to have them hire, train the safety ambassadors, and fund their positions for two (2) years; and

WHEREAS, on July 27, 2012 the City was informed by the DCA that the Director of the New Jersey Urban Enterprise Zone Authority approved the above request for an amendment to the Grant Agreement; and

WHEREAS, the City of Newark desires to enter into and execute a Pass-Thru Agreement with the Newark Downtown District Management Corporation, 15 Clinton Street, Newark, New Jersey 07102, to provide grant funding in the amount of \$100,000.00 from the Authority to have them hire

and train two (2) Safety Ambassadors and fund their positions for two (2) years from the date this resolution is authorized by the Municipal Council; and

WHEREAS, availability of funds will be certified by the City Comptroller to the Municipal Council prior to any disbursements.

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 Housing & Economic Development is hereby authorized to enter into and execute a Pass-Thru Agreement with the Newark Downtown District Management Corporation, a New Jersey nonprofit corporation, with an office at 15 Clinton Street, Newark, New Jersey 07102, for the grant award in the amount of \$100,000.00, from the New Jersey Urban Enterprise Zone Authority's Zone Assistance Fund, to have them hire and train two (2) Safety Ambassadors and fund their positions for a period of two (2) years from the date this resolution is authorized by the Municipal Council.
2. Attached hereto is a certification from the Director of Finance, which states that: (1) there are legally appropriated funds available in the amount of One Hundred Thousand Dollars (\$100,000.00); and (2) that the line appropriation of the official budget, which shall be charged is as follows:

Business Unit	Department	Division	Account	Budget Ref.
051	G08	A18Z0	71280	2008

3. Pursuant to N.J.S.A. 40A:5-16, there shall be no advance payment to the Newark Downtown District Management Corporation from the Pass-Thru Agreement.
4. There shall be no amendment to the Pass-Thru Agreement without approval by the Municipal Council.
5. A fully-executed copy of this Pass-Thru Agreement shall be filed with the Office of the City Clerk by the Deputy Mayor/Director of the Department of Housing & Economic Development.
6. This resolution shall take effect immediately.

STATEMENT

This resolution authorizes the Mayor and/or his designee the Deputy Mayor/Director of the Department of Housing & Economic Development to enter into and execute a Pass-Thru Agreement with the Newark Downtown District Management Corporation, a New Jersey nonprofit corporation, with an office at 15 Clinton Street, Newark, New Jersey 07102 (the "NDD"), for the grant award in the amount of \$100,000.00 from the New Jersey Urban Enterprise Zone Authority to have them hire and train two (2) Safety Ambassadors and fund their positions for a period of two (2) years from the date this resolution is authorized by the Municipal Council.

