



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 17-2007, Version: 1

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**Dept/ Agency:** Administration/Office of the Business Administrator

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

**Type of Service:** Amend Accepting a Gift/ Amendment to License Agreement

**Gift:** Amended gift of the Basic License Fee for the use of the NJPAC on March 13, 17 and 20, 2017 for the 2017 State of the City Mayoral Address held on Monday, March 20, 2017

**Purpose:** This resolution authorizes the Mayor, and/or his designee, to execute an amended Short Term License Agreement with New Jersey Performing Arts Center Corporation, One Center, Newark, New Jersey 07102 to account for the Mayor's use of the Prudential Hall Theatre on March 13 and 17, 2017, for stand alone rehearsals for the 2017 State of the City Mayoral Address, as well as the increased cost of the ancillary service fees in the amount of \$17,630.00, for amended total amount not to exceed \$52,347.60. This resolution further authorizes the Mayor and/or his designee, to accept the additional gift of the Basic License Fee charges for the use of the Prudential Hall for the Mayor's March 13 and 17, 2017 stand alone rehearsals for the 2017 State of the City Mayoral Address held on Monday, March 20, 2017, a gift valued at \$15,000.00, for an amended total gift not to exceed \$32,800.00.

**Entity Name:** New Jersey Performing Arts Center (NJPAC) Corporation

**Entity Address:** One Center Street, Newark, New Jersey 07102

**Gift Value:** Amended amount not to exceed \$32,800.00

**City Contribution:** \$0.00

**Other Funding Source/Amount:** \$0.00

**Contract Period:** March 13, 17 and 20, 2017

**Additional Information:**

Resolution 7R1-a(s) adopted on February 22, 2017 authorized acceptance of gift of \$17,800.00 and further authorized the Mayor to enter into a Short Term License Agreement with NJPAC for 2017 State of the City Address, for an amount not to exceed \$34,717.60.

**WHEREAS**, on February 22, 2017, the Municipal Council adopted Resolution 7R1-a(s), which authorized the Mayor and/or his designee to (1) enter into and execute a Short Term License Agreement with New Jersey Performing Arts Center Corporation, NJPAC, One Center Street, Newark, New Jersey 07102, for ancillary fees for the use of the Prudential Hall Theatre and the Parsonnet Room for the 2017 State of the City Mayoral Address held on Monday, March 20, 2017, for an amount not to exceed \$34,717.60, and (2) accept a gift of the Basic License Fee for the use of the Prudential Hall Theatre and the Parsonnet Room in addition to a gift of the fee for Ticketing Services, for a combined total gift to the City in the amount of \$17,800.00; and

**WHEREAS**, in preparation for the 2017 State of the City Mayoral Address, it was necessary for the Mayor to have a few stand alone rehearsals in the Prudential Hall Theatre on March 13 and 17, 2017 because of the large amount of technology, video and equipment needed to successfully execute the event; and

**WHEREAS**, the NJPAC waived the Basic License for the use of the Prudential Hall Theatre on March 13 and 17, 2017 for the Mayor's rehearsals, an additional gift to the City valued at \$15,000.00, for an amended total gift not to exceed \$32,800.00; and

**WHEREAS**, on September 27, 2017, the New Jersey Performing Arts Center Corporation issued a revised final invoice to the City in the amount of \$17,630.00 for the increased ancillary service fees associated with the use of the Prudential Hall Theatre on March 13 and 17, 2017 for the Mayor's rehearsals; and

**WHEREAS**, City of Newark wishes to amend the Short Term License Agreement to account for the use of the Prudential Hall Theatre by the Mayor on March 13 and 17, 2017 as well as the increased cost of the ancillary service fees charged to the City by the New Jersey Performing Arts Center Corporation for the stand alone rehearsals by \$17,630.00, for an amended total amount not to exceed \$52,347.60; and

**WHEREAS**, the City of Newark also wishes to accept the additional gift of \$15,000.00, pursuant to N.J.S.A. 40A:5-29 for the use of the Prudential Hall Theatre on March 13 and 17, 2017 for the Mayor's rehearsals, for an amended total gift not to exceed \$32,800.00.

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

1. The Mayor and/or his designee are authorized to execute an amended Short Term License Agreement with New Jersey Performing Arts Center Corporation, One Center, Newark, New Jersey 07102, in the form attached hereto, to account for the Mayor's use of the Prudential Hall Theatre on March 13 and 17, 2017, for stand alone rehearsals for the 2017 State of the City Mayoral Address, as well as well as the increased cost of the ancillary service fees in the amount of \$17,630.00, for amended total amount not to exceed \$52,347.60.
2. The Amended Short Term License Agreement is hereby ratified from February 22, 2017 to the date of adoption of this authorizing resolution.
3. All other terms and conditions of the original Short Term License Agreement, not otherwise amended herein, shall remain unchanged and in full force and effect.
4. The Mayor and/or his designee are authorized to accept the additional gift of the Basic License Fee charges for the Mayor's use of the Prudential Hall Theatre on March 13 and 17, 2017, for stand alone rehearsals for the 2017 State of the City Mayoral Address, for an amended total gift not to exceed \$32,800.00. No municipal funds will be expended for the acceptance of this additional gift.
5. Attached hereto are Certifications of Funds issued by the Director of Finance, City of Newark, which states (1) that there are available sufficient, legally appropriated funds in the amount of \$17,630.00, for the purpose set forth hereinabove, and (2) the line appropriation of the official budget which shall be charged is as follows:

Business Unit	Department	Division	Account	Bud. Ref.
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6. The Director of Communications shall file a copy of the Amended Short Term License Agreement in the Office of the City Clerk.

**STATEMENT**

This resolution authorizes the Mayor, and/or his designee, to execute an amended Short Term License Agreement with New Jersey Performing Arts Center Corporation, One Center, Newark, New Jersey 07102 to account for the Mayor's use of the Prudential Hall Theatre on March 13 and 17, 2017, for stand alone rehearsals for the 2017 State of the City Mayoral Address, as well as the increased cost of the ancillary service fees in the amount of \$17,630.00, for amended total amount not to exceed \$52,347.60. This resolution further authorizes the Mayor and/or his designee, to accept the additional gift of the Basic License Fee charges for the use of the Prudential Hall for the Mayor's March 13 and 17, 2017 stand alone rehearsals for the 2017 State of the City Mayoral Address held on Monday, March 20, 2017, a gift valued at \$15,000.00, for an amended total gift not to exceed \$32,800.00.