



## Legislation Text

File #: 24-0315, Version: 1

**Dept/ Agency:** Finance

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

**Purpose:** Authorizing Local Finance Board Application

**Project Information:**

RESOLUTION OF THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, NEW JERSEY APPROVING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD, PURSUANT TO N.J.S.A. 40A:12A-67(g) AND N.J.S.A. 40A:12A-29(a) IN CONNECTION WITH THE ISSUANCE OF REDEVELOPMENT AREA BONDS (NON-RECOURSE TO THE FULL FAITH AND CREDIT OF THE CITY) TO BE SECURED BY PILOT PAYMENTS FROM THE REDEVELOPMENT PROJECT THAT INVOLVES THE CONSTRUCTION OF (250) RESIDENTIAL RENTAL UNITS, OF WHICH 80% OR APPROXIMATELY (200) RESIDENTIAL UNITS ARE MARKET RATE AND OF WHICH 20% OR APPROXIMATELY (50) AFFORDABLE HOUSING RENTAL UNITS ARE RESTRICTED TO TENANTS AT NO MORE THAN 60% OF AMI IN ACCORDANCE WITH CITY ORDINANCE 6PSF-B, ADOPTED ON OCTOBER 4, 2017, 2,598 SQUARE FEET OF GROUND FLOOR RETAIL AND A 4,216 SQUARE FOOT GALLERY THAT WILL BE LEASED AND OPERATED BY THE NEWARK MUSEUM OF ART LOCATED ON PROPERTY KNOWN AS, 146 UNIVERSITY AVENUE, 75-83 CENTRAL AVENUE, 61-63 WASHINGTON STREET, 65 WASHINGTON STREET, 67 WASHINGTON STREET, 69 WASHINGTON STREET, 71 WASHINGTON STREET, 61 CENTRAL AVENUE, 63 CENTRAL AVENUE, 65 CENTRAL AVENUE, 69 CENTRAL AVENUE AND 71-73 CENTRAL AVENUE, NEWARK, NEW JERSEY 07102 AND IDENTIFIED ON THE OFFICIAL MAP OF THE CITY OF NEWARK, AS BLOCK 34, LOTS 1 AND 47 AND BLOCK 35, LOTS 21, 22, 23, 24, 27, 28, 29, 31, 32, 33, 34 AND 35 (THE "NMA OWNERS URBAN RENEWAL, LLC PROJECT").

**Additional Information:**

**WHEREAS**, pursuant to and in accordance with the provisions of the Redevelopment Area Bond Financing Law, constituting Chapter 310 of the Pamphlet Laws of 2001 of the State, and the acts amendatory thereof and supplemental thereto (the "Redevelopment Bond Law", as codified in N.J.S.A. 40A:12A-64 et seq.), specifically N.J.S.A. 40A:12A-66(a), the City is authorized to provide for tax abatement within a redevelopment area and for payments in lieu of taxes ("PILOTS") in accordance with certain applicable provisions of the Long Term Tax Exemption Law, constituting Chapter 431 of the Pamphlet Laws of 1991 of the State, and the acts amendatory thereof and supplement thereto (the "Long Term Tax Law", as codified in N.J.S.A. 40A:20-1 et seq.); and

**WHEREAS**, pursuant to and in accordance with the provisions of the Redevelopment Bond Law, specifically N.J.S.A. 40A:12A-67(a), the City may issue, or cause to be issued, bonds for the purpose of financing all or a portion of the cost of redevelopment projects, which bonds may be secured by PILOTS; and

**WHEREAS**, NMA Owners Urban Renewal, LLC (the "Entity") is undertaking a redevelopment project located at 146 University Avenue, 75-83 Central Avenue, 61-63 Washington Street, 65

Washington Street, 67 Washington Street, 69 Washington Street, 71 Washington Street, 61 Central Avenue, 63 Central Avenue, 65 Central Avenue, 69 Central Avenue and 71-73 Central Avenue, and identified on the Official Tax Map of the City of Newark, as Block 34, Lots 1 and 47 and Block 35, Lots 21, 22, 23, 24, 27, 28, 29, 31, 32, 33, 34 and 35, consisting of the construction of approximately two hundred fifty (250) residential rental apartments, of which approximately fifty (50) units will be affordable, approximately 2,598 square feet of ground floor retail space (the "Retail") and a 4,216 square foot gallery that will be leased and operated by the Newark Museum of Art (collectively, the "NMA Owners Urban Renewal, LLC Project"); and

**WHEREAS**, the Entity has submitted an application to the City seeking a long term tax exemption for the NMA Owners Urban Renewal, LLC Project pursuant to the Long Term Tax Law; and

**WHEREAS**, the City intends to issue bonds in an aggregate principal amount not to exceed \$500,000.00 (the "Bonds") pursuant to the Redevelopment Bond Law, debt service for the repayment of which Bonds will come from the PILOTS paid by the Entity; and

**WHEREAS**, pursuant to the provisions of the Redevelopment Bond Law, specifically N.J.S.A. 40A:12A-67(g), the issuance of the Bonds is subject to the approval of the Local Finance Board; and

**WHEREAS**, the City desires to make application to the Local Finance Board for (i) its approval of the issuance of the Bonds pursuant to N.J.S.A. 40A:12A-67(g), (ii) its approval of the private sale of the Bonds to such purchaser as may be designated by Municipal Council pursuant to N.J.S.A. 40A:12A-29a, and (iii) and such other approvals and/or findings as may be required in connection therewith; and

**WHEREAS**, the Municipal Council believes that:

- (a) it is in the public interest to accomplish such purposes;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the City;
- (c) the amounts to be expended for such purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

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

1. The application to the Local Finance Board is hereby authorized and approved, and the City's Business Administrator, Chief Financial Officer, Director of the Department of Economic and Housing Development, Bond Counsel, Financial Advisor and Auditor, along with other representatives of the City, are hereby authorized to prepare such application, to file such application with the Local Finance Board in connection with the above transaction and to represent the City in matters

pertaining thereto.

2. The City Clerk is hereby directed to prepare and file a copy of the proposed Resolution with the Local Finance Board as part of such application.

3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon certified copies of the Ordinances (as applicable).

4. This Resolution shall take effect immediately.

### **STATEMENT**

This Resolution authorizes the submission of an application to the Local Finance Board for the issuance of Redevelopment Area Bonds (non-recourse to the full faith and credit of the City) in an aggregate principal amount not to exceed \$500,000.00 in connection with the NMA Owners Urban Renewal, LLC Project.