



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-0890, Version: 2

ORDINANCE RATIFYING AND AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC & HOUSING DEVELOPMENT ON BEHALF OF THE CITY OF NEWARK (LESSOR) TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH THE HISPANIC AMERICAN CHAMBER OF COMMERCE OF ESSEX COUNTY FOUNDATION, INC., (LESSEE) FOR THE PROPERTY LOCATED AT 195-205 BLOOMFIELD AVENUE, NEWARK, NEW JERSEY 07104, (BLOCK 536, LOT 1), FOR A PERIOD OF ONE (1) YEAR COMMENCING AUGUST 1, 2014 THROUGH JULY 31, 2015, WITH FIVE (5) ONE (1) YEAR OPTIONS TO RENEW, SUBJECT TO MUNICIPAL COUNCIL APPROVAL.

**Sponsors: Ramos/ Gonzalez
Deferred 6PSF-a 021815**

WHEREAS, the City of Newark (the “Lessor”) owns the premises commonly known as 195-201 Bloomfield Avenue, Newark, New Jersey 07104 (Block 536, Lot 1) on the Official Tax Map of the City of Newark, New Jersey; and

WHEREAS, the Hispanic American Chamber of Commerce of Essex County Foundation, Inc. (the “Lessee”), a non-profit corporation of the State of New Jersey with tax exempt status with both the State of New Jersey and Federal Government, is serving a public purpose and qualifies, pursuant to *N.J.S.A. 40A: 12-14 (c)*, to enter into a lease agreement with the City of Newark for nominal consideration; and

WHEREAS, the Lessee desires to enter into a lease agreement with the Lessor, for a period commencing August 1, 2014 through July 31, 2015 (the “Initial Term”), with five (5) one (1) year options to renew (the “Optional Period”), subject to Municipal Council approval, for nominal consideration in accordance with the terms and conditions of the lease agreement, (attached hereto and made a part hereof); and

WHEREAS, the aforesaid premise is not currently needed for use by the Lessor; and

WHEREAS, the leasing of the aforesaid premise is governed by the provisions of the Local Lands and Building Law, *N.J.S.A. 40A:12-14 (c)*; and

WHEREAS, the Lessee shall perform all necessary capital improvements to the property to a condition that will comply with the occupancy requirements, rules regulations and ordinances of the City of Newark and any other governmental agency of jurisdiction.

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

Section 1. The Mayor and/or his designee, the Director of the Department of Economic and

Housing Development is hereby authorized to enter into and execute a lease agreement, on behalf of the City of Newark, with the Newark Hispanic American Chamber of Commerce of Essex County Foundation, Inc., for the leasing of the premises commonly known as 195-201 Bloomfield Avenue, Newark, New Jersey 07104, (Block 536, Lot 1) on the Official Tax Map of the City of Newark, New Jersey, for a period of one (1) year commencing August 1, 2014 through July 31, 2015 (“Initial Term”) with five (5) one (1) year options to renew (“Option Period”), in accordance with Terms and Conditions annually agreed to by the parties and subject to the annual approval of the Municipal Council.

Section 2. The Municipal Council hereby ratifies the lease agreement between the Lessor and Lessee from August 1, 2014 to the date of adoption of this ordinance (a copy of which is attached hereto and made apart hereof).

Section 3. The Lessee shall pay to the Lessor the sum of One Dollar (\$1.00) annually, as nominal consideration in accordance with the terms and conditions of the lease agreement.

Section 4. To the extent there are any taxes due and owing from any Federal, State or local authority the Lessee is obligated to pay said tax.

Section 5. The Lessee agrees to perform all necessary capital improvements to the property to a condition that will comply with the occupancy requirements, rules regulations and ordinances of the City of Newark and any other governmental agency of jurisdiction.

Section 6. The above said premises shall be used by the Lessee in pursuing their objectives; to wit, for the purposes of providing an Elder Citizen - Adolescent Student Program for comprehensive counseling, job placement and referral service that meets the educational, health, recreational, cultural and social service needs of persons 55 years of age and older and adolescent college bound students to and help maintain the dignity and independence living in the community.

Section 7. The Department of Economic and Housing Development shall be responsible for the enforcement of the covenants terms and conditions of the lease agreement.

Section 8. The Executive Director of the Lessee, or his/her designated agent, shall annually submit a report to the Director of the Department of Economic and Housing Development summarizing the use to which the leasehold was put during each year, the activities of the Lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status as a non-profit corporation pursuant to both the State and Federal Law, as required by N.J.S.A. 40A:12-14 (c).

Section 9. A copy of the lease agreement and this ordinance shall be permanently filed in the Office of the City Clerk by the Director of the Department of Economic & Housing Development.

Section 10. This ordinance shall take effect upon final passage and publication in accordance with law.

STATEMENT:

This ordinance hereby ratifies and authorizes the Director of the Department of Economic & Housing Development to enter into and execute a lease agreement on behalf of the City of Newark with the Newark Hispanic American Chamber of Commerce of Essex County Foundation, Inc., for leasing the premises commonly known as 195-201 Bloomfield Avenue, Newark, New Jersey 07104, (Block 536, Lot 1) on the Official Tax Map of the City of Newark, New Jersey, for a period of one (1) year commencing August 1, 2014 through July 31, 2015 (“Initial Term”) with five (5) one (1) year options to renew (“Optional Period”), in accordance with Terms and Conditions annually agreed to by the parties and subject to the annual approval of the Municipal Council.