



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-0091, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: Private Sale/Redevelopment

Purpose: Redevelop/reconstruct existing apartments into seventeen (17) affordable housing rental units

Entity Name: Essex Property Management Group, LLC

Entity Address: 59 East Runyon St., Newark, New Jersey 07114

Sale Amount: \$343,750.00

Cost Basis: () \$4.00 PSF (X) Negotiated () N/A () Other:

Assessed Amount: \$647,000.00

Appraised Amount: \$N/A

Contract Period: To be commenced within 3 months and be completed within 18 months from the transfer of ownership by the City.

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions (X) RFP () RFQ
() Private Sale () Grant () Sub-recipient () n/a

List of Property:

(Address/Block/Lot/Ward)

611-613 Clinton Avenue/Block 3004/Lot 30/South Ward

Additional Information:

WHEREAS, the purpose of this resolution is to approve the sale and redevelopment and/or rehabilitation, as may be applicable, of the following City-owned property located in the South Ward of the City of Newark:

ADDRESS	WARD	BLOCK	LOT	SIZE	SQ. FEET	UNITS
611-613 Clinton Avenue	South	3004	30	50X85	4,250	17

Total Purchase Price: \$343,750.00 (approx. \$20,220.59 per unit); and

WHEREAS, the City of Newark has determined that the above referenced City-owned property (the "Property") is no longer needed for public use; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(g), the City of Newark is proceeding with the redevelopment and/or rehabilitation of the area and is conveying properties at such prices and upon such terms as it deems reasonable and said conveyance is made in conjunction with the applicable Redevelopment Plan, as amended; and

WHEREAS, the Municipal Council previously adopted Resolution 7RD-O (AS) on June 15, 2005, designating the entire City as an “area in need of rehabilitation” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “LRHL”); and

WHEREAS, the Municipal Council thereafter adopted Ordinance 6S&FD(S) on August 17, 2005, adopting the Third Amendment to the South Ward Redevelopment Plan governing the redevelopment of City-owned properties located within the South Ward, which includes the above-referenced Property; and

WHEREAS, the City received a proposal from Essex Property Management Group, LLC (the “Redeveloper”), dated March 5, 2014 for the purchase and redevelopment and/or rehabilitation of the Property; and

WHEREAS, the Redeveloper, having its address at 59 E. Runyon St., Newark, New Jersey 07114, has proposed to the City’s Department of Economic and Housing Development to reconstruct the existing apartments into seventeen (17) affordable housing rental units; and

WHEREAS, based upon the City’s review of the Proposal and other such information, the City has determined that the Redeveloper possesses the proper qualifications and requisite financial resources and capacity to acquire the Property and to redevelop and/or rehabilitate it in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the Agreement for the Sale of Land and Redevelopment, the form of which is attached hereto (the “Agreement”), and the South Ward Redevelopment Plan, as amended; and

WHEREAS, pursuant to the above-mentioned statutory authority, the Department of Economic and Housing Development has recommended that the City of Newark sell the Property to Essex Property Management Group, LLC which is willing to purchase the Property from the City, for the nominal consideration of \$343,750.00 for the purpose of redeveloping and/or rehabilitating said property in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the Agreement, and the South Ward Redevelopment Plan, as amended.

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

1. The Mayor and/or his designee and the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute the Agreement for the Sale and Redevelopment of Land with Essex Property Management Group, LLC, 59 E. Runyon St., Newark, New Jersey 07114 in the form attached hereto for the private sale and redevelopment and/or rehabilitation of the following Property, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement and the South Ward Redevelopment Plan, as amended:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT</u>	<u>SIZE</u>	<u>SQ. FEET</u>	<u>UNITS</u>
611-613 Clinton Avenue	South	3004	30	50X85	4,250	17

Total Purchase Price: \$343,750.00 (approx. \$20,220.59 per unit); and

2. Said property shall be sold to Essex Property Management Group, LLC, by private sale for the purpose of redeveloping the abovementioned property by reconstructing the existing apartments into seventeen (17) affordable housing rental units, and all deeds shall contain resale and/or use restrictions for a period of not less than ten (10) years.
3. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement annexed hereto and may enter into access and right of entry agreements and any related documents which may be necessary in order to effectuate the sale of the Property and the terms and conditions of the Agreement, all in forms subject to the approval of the City of Newark Corporation Counsel.
4. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two (2) six (6) month extensions of any timeframe set forth in the Agreement, subject to full written disclosure of such extension(s) (in the form of a signed memorandum to be submitted to the Office of the City Clerk prior to adoption) to the Municipal Council of the City of Newark by the Deputy Mayor/Director of the Department of Economic and Housing Development and the approval of the City of Newark Corporation Counsel.
5. The Redeveloper shall be designated as the exclusive redeveloper of the Property and any other prior legislation authorizing or intended to authorize the sale and/or redevelopment and/or rehabilitation of the Property is hereby rescinded.
6. The Redeveloper shall have thirty (30) days from the date this resolution is certified by the Office of the City Clerk to execute the attached Agreement for the Sale and Redevelopment of Land and return same to the Department of Economic and Housing Development. Should Redeveloper fail to execute and return the attached Agreement within this thirty (30) day time period, the authorization provided by this resolution shall be null and void, unless the Deputy Mayor/Director of the Department of Economic and Housing Development agrees in writing to extend this thirty (30) day time period.
7. The Acting Director of Finance is hereby authorized to receive proceeds of the sale and to deposit same as follows: ninety (90) percent of the sale proceeds shall be deposited into the Community and Economic Development Dedicated Trust Fund established under Resolution 7RG dated November 6, 1985; and ten (10) percent of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6S&FF dated June 21, 2006 for the purpose of preserving low and moderate income affordable housing.
8. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed Agreement for the Sale and Redevelopment of Land, the Quitclaim Deed, and all such other executed agreements authorized by this resolution on file in the Office of the City Clerk.
9. The Redeveloper shall comply with the City of Newark's Minority Set-Aside Ordinance 6S&FD, dated April 5, 1995; the City of Newark's Affirmative Action Plan 7RBP, dated March 1, 1995; Federal Executive Order 11246, (as amended by Executive Orders 11375 and 12086)

regarding the award of goods and services contracts; and the City of Newark Ordinance Amending Title II Administration, Chapter 4, General Administration, Section 20, Hiring of Newark Residents by Contractors or Other Persons Doing Business with the City of Newark and Section 21, Newark Residents' Employment Policy, by Adding Language to Address Immediate Short Term Training and Employment Opportunities and Repealing the Newark Employment Commission, a copy of which is attached to the Agreement (the "First Source Ordinance"), all as may be applicable. In addition, the Redeveloper has agreed to ensure that 30% of all contractors, subcontractors and suppliers shall be Newark-based companies.

10. The redevelopment and/or rehabilitation of the Property shall commence within three (3) months and be completed within eighteen (18) months from the transfer of ownership of the Property by the City to the Redeveloper.
11. The project to be implemented by the Redeveloper shall conform to the City of Newark Design Guidelines, including standards for environmental sustainability and energy efficiency, as established by the Department of Economic and Housing Development. Additionally, the Redeveloper shall conduct any environmental investigation and remediation upon the Property as may be necessary. Should the Redeveloper fail to diligently pursue the redevelopment and/or rehabilitation of the Property, then the City, in its sole discretion, may exercise its Right of Reverter to transfer title to the Property back to the City, in accordance with the terms and conditions of the Agreement and the deed.
12. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to execute a Quitclaim Deed to the Redeveloper for the Property. Said Quitclaim Deed conveying title to the Property to the Redeveloper shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

STATEMENT

This Resolution authorizes the Mayor and/or his designee, the Deputy Mayor/Director of Economic and Housing Development to enter into and execute an Agreement for the Sale and Redevelopment of Land with Essex Property Management Group, LLC, 59 E. Runyon St., Newark, New Jersey 07114 for the private sale and redevelopment and/or rehabilitation of the following Property, for the following Purchase Price, in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the terms and conditions of the attached Agreement for the Sale and Redevelopment of Land and the South Ward Redevelopment Plan, as amended:

ADDRESS WARD BLO
CK LOTS SIZE SQ.
FEET UNITS

611-613 Clinton Avenue	South	3004	30	50X85	4,250	17
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Total Purchase Price: \$343,750.00 (approx. \$20,220.59 per unit); and

to redevelop the abovementioned property by reconstructing the existing apartments into seventeen (17) affordable housing rental units.

