



## Legislation Text

File #: 18-0858, Version: 1

**Dept/ Agency:** Finance

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

**Purpose:** Application to Local Finance Board for approval of bond ordinance

**Name of Project(s):** ECIA Refunding Bonds

**Amount to be Financed:** \$67,000,000.00

**Funding Source:** Bonds

**Local Finance Board meeting date(s):** July 11, 2018

**Project Information:**

(Description/ Project No./ Amount Appropriated/Ordinance No.)

**RESOLUTION OF THE CITY OF NEWARK, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 et seq., N.J.S.A. 40A:2-55 AND N.J.S.A. 40A:3-4 AND APPROVING THE SUBMISSION THEREOF**

**Additional Information:**

**WHEREAS**, the City of Newark, in the County of Essex, State of New Jersey (the "City") desires to make application to the Local Finance Board (the "Board") for its review and/or approval of (i) the adoption of a refunding bond ordinance in the amount of \$67,000,00.00 (the "Ordinance") for the purpose of funding an emergency temporary appropriation adopted by the City pursuant to N.J.S.A. 40A:4-20 for amounts required to refund the outstanding Lease Revenue Bonds (City of Newark Project), Series 2010A and Series 2010B of the Essex County Improvement Authority ("ECIA") in the aggregate principal amount of \$59,960,000.00, maturing on and after November 1, 2018, to and including November 1, 2030 (the "Refunded Bonds") (for the purposes of terminating the Lease Purchase Agreement (the "Lease Purchase Agreement") dated as of December 1, 2010 by and between the City and the ECIA, including ECIA's right, title and interest in and to the Leased Premises subject to the Lease Purchase Agreement, which will enable the City to reacquire title to such Leased Premises previously owned by the City) pursuant to N.J.S.A. 40A:2-51, 52 and 55 of the Local Bond Law and N.J.S.A. 40A:3-4 in the Municipal Qualified Bond Act, including paying costs of issuance relating thereto, (ii) the issuance of such refunding bonds pursuant to N.J.S.A. 40A:2-51 to 59 and (iii) the issuance of such refunding bonds as qualified bonds pursuant to N.J.S.A. 40A:3-4 of the Municipal Qualified Bond Act; and

**WHEREAS**, the City believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose is for the health, welfare, convenience or betterment of the inhabitants of the City;

- (c) the amounts to be expended for said purpose is 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, IN THE COUNTY OF ESSEX, STATE OF NEW JERSEY, THAT:**

1. The submission of an application to the Local Finance Board with respect to the above is hereby approved, and the City's Director of Finance, Bond Counsel and Financial Advisor, along with other representatives of the City, are hereby authorized and directed to prepare, approve and to submit such application and to represent the City in matters pertaining thereto.

2. The City Clerk is hereby authorized and directed to prepare and file certified copies of this Resolution and the Ordinance as introduced with the Local Finance Board as part of such application (such copies evidencing the vote of the Municipal Council).

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.

**STATEMENT**

Resolution making an application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51 et seq., N.J.S.A. 40A:2-55, and N.J.S.A. 40A:3-4 and approving submission thereof.