



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 22-1158, Version: 1

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

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

**Type of Service:** Resolution of Support

**Purpose:** To provide support for the submission of financial application(s), for various tax credits sought by the Newark Performing Arts Corporation, in connection with planning, renovation and historic restoration of the Newark Symphony Hall.

**Entity Name:** Newark Performing Arts Corporation, LLC

**Entity Address:** 1012-1020 and 1030-1032 Broad Street, Newark, New Jersey 07102

**Grant Amount:** Not Applicable

**Total Project Cost:** Not Applicable

**City Contribution:** \$0.00

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

**Grant Period:** Not Applicable

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS

( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a

**List of Property:**

**(Address/Block/Lot/Ward)**

1020-1026 Broad St. /Block 883/Lot 41

1030 Broad St/ Block 883/ Lot 41

**Additional Information:**

**WHEREAS**, on February 18, 2009 the Municipal Council adopted Resolution 7R3-e(AS) ratifying and authorizing the Mayor of the city of Newark and/or his designee to enter into a First Amended Lease Agreement, pursuant to N.J.S.A. 40A:12A-8(g), between the City of Newark and Newark Performing Arts Corporation, LLC for the Property for the purpose of extending the term of the Lease Agreement for a period of eighteen (18) years commencing on May 1, 2008 and terminating on April 30, 2026 and adding additional required lease provisions; and

**WHEREAS**, Newark Performing Arts Corporation, LLC (the "Tenant"), is planning the renovation and historic restoration of Newark Symphony Hall ("the Project"). The Project will require support from the City of Newark (the "City" or "Landlord") in its capacity as landlord, as has been a strategy for other similar performance venues and historic theater renovation project developers with their host municipalities. The Project will involve the execution of a multi-year improvement program for the 145,000 plus square feet performance venue located at Block 883, Lot 41 and Block 883, Lot 38 on the Official Tax Map of the City of Newark, New Jersey (the "Premises"); and

**WHEREAS**, completion of the Project is intended to increase the long-term value of the City's property interest in the Premises and serve as an anchor and catalyst for the revitalization of lower Broad Street and the adjoining Lincoln Park neighborhood; and

**WHEREAS**, to attract the necessary capital and financing for the Project including, without limitation, historic tax credits, new markets tax credits, opportunity zone equity and other funding sources (collectively the “Financing”), the City and the Tenant will need to enter into an amended lease agreement and assigned to a special purpose entity organized as an affiliate of Newark Performing Arts Corporation, LLC prior to Tenant closing on Financing; and

**WHEREAS**, the Tenant has prepared a preliminary Letter of Intent (“LOI”), attached as Exhibit A, to include as part of the Financial applications, with proposed lease amendments; and

**WHEREAS**, the LOI is intended solely as a basis for further negotiations and is not intended to be, nor does it constitute, a legally binding obligation on Tenant and City; and

**WHEREAS**, the City supports the efforts of the Tenant to attract the necessary capital and financing for the Project.

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

1. The Municipal Council supports the planning of renovation and historic restoration of the Newark Symphony Hall. The Project will require support from the City of Newark, in its capacity as Landlord, as has been a strategy for other similar performance venues and historic theater renovation project developers with their host municipalities. The Project will involve the execution of a multi-year improvement program for the 145,000 plus square feet performance venue located at Block 883, Lot 41 and Block 883, Lot 38 on the Official Tax Map of the City of Newark, New Jersey, the Premises.
2. The Municipal Council supports the submission of the “LOI”, attached as Exhibit A, in connection with the Tenant obtaining various tax credits.
3. The LOI financial application is intended solely as a basis for further negotiations and is not intended to be, nor does it constitute, a legally binding obligation on Tenant and City.

### **STATEMENT**

This Resolution authorizes Municipal Council support for the submission of financial application(s), for various tax credits sought by the Newark Performing Arts Corporation, LLC in connection with the planning, renovation, and historic restoration of the Newark Symphony Hall, the Project. The Project will require support from the City of Newark, the Landlord, in its capacity as Landlord, as has been a strategy for other similar performance venues and historic theater renovation project developers with their host municipalities. The Project will involve the execution of a multi-year improvement program for the 145,000 plus square feet performance venue located at Block 883, Lot 41 and Block 883, Lot 38 on the Official Tax Map of the City of Newark, New Jersey, the “Premises.