

City Clerk File No. Ord. 14.112

Agenda No. 3.J 1st Reading

Agenda No. 4.A. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.112

TITLE: AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 12704, LOT 28.01, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 532 JERSEY AVENUE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the City of Jersey City as an area in need of rehabilitation, is authorized to adopt an ordinance to utilize tax exemptions pursuant to N.J.S.A. 40A:21-1, et seq., the Five (5) Year Exemption and Abatement Law; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Jersey City adopted Ordinance 05-060, Section 304-6 et seq. of the Municipal Code, to allow Five (5) Year Tax Exemptions which allows the Tax Assessor to regard the full and true value or a portion thereof of certain improvements as not increasing the full and true value of certain property for a period of five (5) years, provided the owner's application is approved by the Tax Assessor and by Ordinance of the Municipal Council; and

WHEREAS, pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code, a tax exemption for the construction of a new multiple dwelling with commercial space in a six (6) story building with a penthouse level on the Property, which will contain approximately seventy-six (76) residential rental units; approximately 11,011 square feet of ground floor retail/commercial rental space; and a below grade parking garage with thirty-five (35) parking spaces on the Property, is permitted for a period of five (5) years; and

WHEREAS, Jersey Avenue MM, LLC [Entity], is the owner of Property designated as Block 12704, Lot 28.01, on the City's Tax Map and more commonly known by the street address of 532-536 Jersey Avenue and 168-172 Christopher Columbus Drive, Jersey City, NJ; and

WHEREAS, the Entity now plans to construct a multiple dwelling in a new six (6) story building on the Property, which will contain approximately seventy-six (76) residential rental units; approximately 11,011 square feet of ground floor retail /commercial rental space; and a below grade parking garage with thirty-five (35) parking spaces equaling 5,752 square feet, on the Property; and

WHEREAS, construction will be substantially complete within approximately twenty-four (24) months from the adoption of this ordinance, unless otherwise extended by the City under its sole discretion; and

WHEREAS, on March 11, 2014, the Entity filed an application for a five (5) year tax exemption to construct a new mixed use Project, a copy of which application is attached hereto; and

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 12704, LOT 28.01, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 532 JERSEY AVENUE

WHEREAS, Jersey Avenue MM, LLC, proposes to pay the City (in addition to the full taxes on the land, which shall continue to be conventionally assessed and are currently generating a tax of \$63,207) a tax payment for the new improvements on the property, as follows:

- (a) 2014: the tax year in which the structure will be completed. \$0 taxes;
- (b) 2015: the second tax year, 20% of actual full taxes, estimated to be \$64,541;
- (c) 2016: the third tax year, 40% of actual full taxes, estimated to be \$129,081;
- (d) 2017: the fourth tax year, 60% of actual full taxes, estimated to be \$193,622; and
- (e) 2018: the fifth tax year, 80% of actual full taxes, estimated to be \$258,162;

WHEREAS, the Tax Assessor has determined that this new construction will generate an additional tax payment of \$63,207 for land and \$322,703 for improvements, for a total land and improvement tax of \$385,910 a year; and

WHEREAS, the applicant has agreed that in the event the Citywide revaluation results in a decrease in the estimated amount of actual taxes otherwise due, then for purposes of calculating a tax payment hereunder and for the five (5) year period, the amount shall be calculated as the higher of the amount estimated hereunder or the actual taxes otherwise due; and

WHEREAS, the application for tax exemption was complete and timely filed; the application was approved by the Tax Assessor and the multiple dwelling with retail/commercial Project is eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and Section 304-12 of the Municipal Code; and

WHEREAS, upon the expiration of the tax exemption, the total assessment, including both land and improvements, will generate a total tax payment of \$385,910; and

WHEREAS, Jersey Avenue MM, LLC, has agreed to pay the sum of \$139,145 which includes \$1,500 per unit and \$1.50 per square foot of commercial retail space and parking space to the City's Affordable Housing Trust Fund, which shall be paid in intervals set forth in Section 304-28 of the Municipal Code. This payment is nonrefundable and nontransferable and shall be forfeited by the Entity should either party terminate the tax exemption prior to the end of the herein term.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. The application, attached hereto, for a five (5) year tax exemption for the full and true value of a new mixed use six (6) story building with a penthouse level which will contain approximately seventy-six (76) residential rental units; approximately 11,011 square feet of ground floor retail /commercial rental space; and a below grade parking garage with thirty-five (35) parking spaces equaling 5,752 square feet, on the Property, located in Block 12704, Lot 28.01, and more commonly known by the street address of 532-536 Jersey Avenue and 168-172 Christopher Columbus Drive, Jersey City, N.J., is hereby approved.

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ., AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 12704, LOT 28.01, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 532 JERSEY AVENUE

2. The Mayor or Business Administrator is hereby authorized to execute a tax exemption agreement which shall contain at a minimum, the following terms and conditions:

- (a) tax payment on the new improvements shall be:
 - (i) Year 1: the tax year in which the structure will be completed. \$0 taxes;
 - (ii) Year 2: the second tax year, 20% of actual full taxes, estimated to be \$64,541;
 - (iii) Year 3: the third tax year, 40% of actual full taxes, estimated to be \$129,081;
 - (iv) Year 4: the fourth tax year, 60% of actual full taxes, estimated to be \$193,622; and
 - (v) Year 5: the fifth tax year, 80% of actual full taxes, estimated to be \$258,162.

The applicant has agreed that in the event the Citywide revaluation results in a decrease in the amount of actual taxes otherwise due for purposes of calculating a tax payment hereunder; during this five (5) year period, the amount due hereunder shall be calculated as the higher of the amount estimated above or the actual taxes due after the revaluation; and

(b) The project shall be subject to all federal, state and local laws, and regulations on pollution control, worker safety, discrimination in employment, zoning, planning, and building code requirements pursuant to N.J.S.A. 40A:21-11(b).

(c) If, during any tax year prior to the termination of the tax agreement, the property owner ceases to operate or disposes of the property, or fails to meet the conditions for qualifying, then the tax which would have otherwise been payable for each tax year shall become due and payable from the property owner as if no exemption and abatement had been granted. The Tax Collector shall, within 15 days thereof, notify the owner of the property of the amount of taxes due.

(d) With respect to the disposal of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, no tax shall be due, the tax exemption shall continue, and the agreement shall remain in effect.

(e) At the termination of a tax exemption agreement, the new improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, and receiving the full benefits of, any other tax preferences provided by law.

(f) Affordable Housing Trust Fund: \$1,500 per unit and \$1.50 per square foot of commercial retail space and parking space, for a total of \$139,145. This contribution shall be paid in intervals set forth in Section 304-28 of the Municipal Code and according to the tax exemption agreement. This payment is nonrefundable and nontransferrable and shall be forfeited by the Entity should either party terminate the tax exemption prior to the end of the herein term.

AN ORDINANCE APPROVING A FIVE (5) YEAR TAX EXEMPTION PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:21-1, ET SEQ, AND SECTION 304-12 OF THE MUNICIPAL CODE FOR PROPERTY DESIGNATED AS BLOCK 12704, LOT 28.01, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 532 JERSEY AVENUE

- 3. An obligation to execute a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses.
 - 4. This Ordinance will sunset and the Tax Exemption will terminate unless the Project is Substantially Complete (i.e., when a certificate of occupancy is issued) within twenty-four (24) months of the date of adoption of the within Ordinance.
 - 5. The form of tax exemption agreement is attached hereto as Exhibit B, subject to such modification as the Corporation counsel or Business Administrator deems necessary. The applicant shall execute the tax exemption agreement within the later of ninety (90) days of receipt of the tax exemption agreement from the City or ninety (90) days of the date of adoption of the herein Ordinance. Unless otherwise extended by the City, failure to comply shall result in the Ordinance being repealed and the tax exemption rescinded.
 - 6. The actual date of execution of the tax exemption agreement shall not affect, alter or amend the Entity's obligation to make payments according to the intervals set forth in Section 304-28 of the Municipal Code and the tax exemption agreement. Should the Entity fail to make timely payments, interest shall begin to accrue at the rate set forth in the tax exemption agreement.
 - 7. The Tax Assessor shall send a copy of the fully executed Financial Agreement will be sent to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A. 40a:21-11(d).
- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner provided by law.
- D. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

DJ/he
9/02/14

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required

Not Required

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.112
 TITLE: 3.J SEP 10 2014 4.A. OCT - 8 2014

An ordinance approving a five (5) year tax exemption pursuant to the provisions of N.J.S.A. 40A:21-1, et seq., and Section 304-12 of the Municipal Code for property designated as Block 12704, Lot 28.01, on the city's tax map and more commonly known by the street address of 532 Jersey Avenue.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 10 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT - 8 2014 7-0											
Councilperson <u>OSBORNE</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI		ABSENT		YUN	✓			RIVERA	✓		
RAMCHAL		ABSENT		OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT - 8 2014 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI		ABSENT		YUN	✓			RIVERA	✓		
RAMCHAL		ABSENT		OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 10 2014
 Adopted on second and final reading after hearing on OCT - 8 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT - 8 2014

Robert Byrne, City Clerk

APPROVED:
 Rolando R. Lavarro, Jr., Council President
 Date OCT - 8 2014

*Amendment(s):

APPROVED:
 Steven M. Fulop, Mayor
 Date OCT 14 2014

Date to Mayor OCT 09 2014

City Clerk File No. Ord. 14.120

Agenda No. 3.A 1st Reading

Agenda No. 4.B 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.120

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE TIDEWATER BASIN REDEVELOPMENT PLAN TO
CREATE A MIXED USE DISTRICT**

WHEREAS, the Municipal Council of the City of Jersey City adopted the Tidewater Basin Redevelopment Plan in November of 1999, and amended the Plan numerous times subsequently, most recently on April 20, 2010; and

WHEREAS, the existing Plan has an Office/Residential District which does not allow the mix of uses and amenities that the existing neighborhood would benefit from; and

WHEREAS, creating a new Mixed Use Zone will allow for an expanded list of uses with appropriate bulk and design standards to benefit the community; and

WHEREAS, the zone is located both adjacent to an HBLRT station and at a point of connection to Liberty Harbor North, necessitating pedestrian access through and around the site; and

WHEREAS, in order to provide this access, allow for a much-needed JCMUA easement, and add additional public plaza space, the Plan allows for a height bonus of 8 additional stories in exchange for easement and plaza space, as well as the implementation of Green Building measures;

WHEREAS, the Planning Board, at its meeting of August 26, 2014, determined that the Tidewater Basin Redevelopment Plan should be amended to create a new Mixed use Zone to allow for additional permitted uses and the option for additional height in exchange for the aforementioned benefits; and

WHEREAS, a copy of the Planning Board's recommended amendments to the Tidewater Basin Redevelopment Plan is attached hereto, and made a part hereof, and is available for public inspection at the office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the aforementioned amendments to the Tidewater Basin Redevelopment Plan be, and hereby are, adopted.

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

Robert D. Cotter, PE, FAICP
Director, Division of City Planning
APPROVED: _____

APPROVED: _____
Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE TIDEWATER BASIN REDEVELOPMENT PLAN TO CREATE A MIXED USE DISTRICT

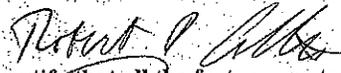
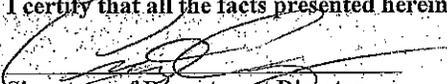
Initiator

Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, AICP	Director
Phone/email	201-547-5010	bobbyc@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The proposed amendments create a Mixed Use District to modify the existing Office/Residential District. This will create an expanded list of permitted uses to help activate the neighborhood. Bulk and design standards typical to the area have been established. Additionally, a height bonus provision has been proposed which will allow for an additional eight stories of height in exchange for a public plaza, green building, and a necessary easement for JCMUA.

 9/17/2014
I certify that all the facts presented herein are accurate.
 9/17/14
Signature of Department Director Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.120
 TITLE: J.A SEP 23 2014 4.B **OCT 8 2014**

Ordinance of the Municipal Council of the City of Jersey
 City adopting amendments to the Tidewater Basin
 Redevelopment Plan to create a mixed use district.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 8 2014											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

GEORGE MILLER
 CHRISTINE MITTMAN
 PRAVEEP SHATURVEBI
 MICHAEL CATAPANO
 ELENA PUTILIMA
 PENG ZANG
 NII SAKAADDU
 RAYLIE DUNKEL
 ANKUR PATEL
 JOHN ALLEN
 MARLENE SANDKAMP

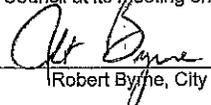
ADAM BLONDIN
 SEAN CONNELLY
 STEPHANIE DANIELS
 MAKONE TOURE
 DIANE KAESE
 GERRY BAKIRTJY
 JAMES MCCAN
 LOYSE BONGOUR

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT 08 2014 5-3											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN		✓		RIVERA	✓		
RAMCHAL	✓			OSBORNE		✓		WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

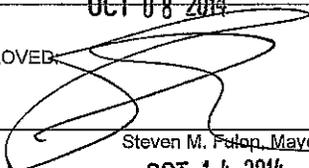
Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014
 Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by
 the Municipal Council at its meeting on **OCT 08 2014**

 Robert Byrne, City Clerk

APPROVED: 

 Rolando R. Lavarro, Jr., Council President

Date OCT 08 2014

APPROVED: 

 Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

*Amendment(s):

City Clerk File No. Ord. 14.121

Agenda No. 3.B 1st Reading

Agenda No. 4.C 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.121

TITLE: ORDINANCE AUTHORIZING THE EXECUTION OF A TEMPORARY EASEMENT AND LICENSE AGREEMENT ON CITY OWNED PROPERTY LOCATED AT 13 LINDEN AVENUE, JERSEY CITY, NEW JERSEY TO ACCOMMODATE TWO SOLAR RENEWABLE ENERGY INSTALLATIONS IN CONNECTION WITH A SOLAR POWER ENERGY SERVICES AGREEMENT ENTERED INTO BY AND AMONG THE CITY OF JERSEY CITY, THE HUDSON COUNTY IMPROVEMENT AUTHORITY AND HUDSON ENERGY SOLAR CORPORATION

WHEREAS, the City of Jersey City (City) is the owner of certain real property at 13 Linden Avenue, Jersey City, New Jersey, 07306, where the City's new Department of Public Work facility is located (Property); and

WHEREAS, on December 12, 2013, the City and the Hudson County Improvement Authority (HCIA) entered into a Shared Services Agreement which authorized the HCIA to procure for the City under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. a contractor to install and operate a photovoltaic system (solar energy system) at the Property; and

WHEREAS, the HCIA selected Hudson Energy Solar Corporation (HESC), 7 Cedar St., Ramsey, New Jersey 07446, as the contractor whose proposal was most responsive to a Request for Proposals to develop a solar energy system at the Property; and

WHEREAS, pursuant to Resolution No. 14.255, approved on April 9, 2014, the City awarded a Solar Power Purchase Agreement to HESC and thereafter executed such agreement; and

WHEREAS, the term of the agreement is for fifteen (15) years; and

WHEREAS, HESC requires a temporary easement and license agreement for access to and from the roof and steel canopy located at the Property in order to install and maintain its equipment; and

WHEREAS, N.J.S.A. 40A:12-1 et seq. and N.J.S.A. 40A:11-1 et seq. authorize the City to grant a temporary easement and license agreement to HESC; and

WHEREAS, the temporary easement is non-exclusive and shall terminate upon the expiration or earlier termination of the PPA; and

NOW, THEREFORE BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute a temporary easement and license agreement in substantially the form of the attached, subject to the following minimum terms and conditions:

The conveyance of this temporary easement shall be made subject to:

- (a) easements and restrictions of record, if any, and

(b) all Federal, State, County, and Municipal laws, statutes, codes, ordinances, rules and regulations affecting the Property, its use and occupancy.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

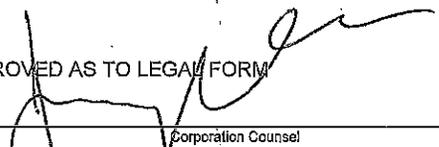
This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

This ordinance shall take effect at the time and in the manner as provided by law.

The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All materials are new; therefore underlining has been omitted. For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

RR/BD/kn
9/15/2014

APPROVED AS TO LEGAL FORM


Corporation Counsel

APPROVED: _____
APPROVED: 

Business Administrator

Certification Required
Not Required

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.121
 TITLE: 3.B SBP 23 2014 4.C **OCT 08 2014**

Ordinance authorizing the execution of a temporary easement and license agreement on city owned property located at 13 Linden Avenue, Jersey City, New Jersey to accommodate two solar renewable energy installations in connection with a Solar Power Energy Services Agreement entered into by and among the City of Jersey City, the Hudson County Improvement Authority and Hudson Energy Solar Corporation.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 08 2014 5-0											
Councilperson <u>WATTERMAN</u>				moved, seconded by Councilperson <u>CAVARLO</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	ABSENT			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON SURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson				moved to amend* Ordinance, seconded by Councilperson				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT 08 2014 6-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014
 Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

Robert Byrne
 Robert Byrne, City Clerk

APPROVED: [Signature]
 Rolando R. Lavarro, Jr., Council President

Date _____

*Amendment(s):

APPROVED: [Signature]
 Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

City Clerk File No. Ord. 14.122

Agenda No. 3.C 1st Reading

Agenda No. 4.D. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.122

TITLE: ORDINANCE AUTHORIZING THE EXECUTION OF A GRANT OF CONSERVATION RESTRICTION/EASEMENT AGREEMENT FOR PUBLIC ACCESS TO THE WATERFRONT AMONG THE CITY OF JERSEY CITY AND LIBERTY HARBOR HOLDING, LLC AS GRANTORS, LHN OWNER URBAN RENEWAL, LLC AS THE DEVELOPER, AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AS GRANTEE

WHEREAS, the City of Jersey City ("City") is the owner of real property designated as Luis Munoz Marin Boulevard ("Marin Blvd.") on the City's Tax Map; and

WHEREAS, the City's Property that is the subject of this Ordinance is the southerly end of Marin Blvd. that is shown on Exhibit "A" of the Grant of Conversation Restriction/Easement Agreement attached hereto; and

WHEREAS, Liberty Harbor Holding, LLC ("LHH") is the owner of certain real property designated as Block 15901, Lot 21.03 on the Tax Map (LHH's Property) that is located along the westerly edge of the waterway known as Roderman Basin; and

WHEREAS, the City's Property and LHH's Property together are referred to as the Waterfront Easement Area; and

WHEREAS, LHN Owner Urban Renewal, LLC ("LHN") is the owner and developer of certain real property known as Block 15901, Lot 17 on the Tax Map, also known as "Block 24" in the Liberty Harbor North Redevelopment Plan ("LHN's Property"); and

WHEREAS, LHN's property adjoins the westerly side of the City's Property; and

WHEREAS, the City's Planning Board authorized LHN to construct a mixed use residential and retail building on LHN's Property ("Project"); and

WHEREAS, a condition of the Planning Board's Project approval is that LHN replace a bulkhead on LHH's Property next to the Roderman Basin and construct an approximately 400 foot long and 18 foot wide paver walkway on the Waterfront Easement Area of which a 5.5 foot wide portion will be located on LHH's Property and a 12.5 foot wide portion will be located on the City's Property; and

WHEREAS the paver walkway on the Waterfront Easement Area will be maintained by LHN and its successors or assigns; and

WHEREAS, LHN requires a permit from the New Jersey Department of Environmental Protection ("NJDEP") to construct these improvements because they will constructed next to the Roderman Basin; and

WHEREAS the NJDEP requires as a condition of granting the permit that the City's Property and LHH's Property be encumbered by a conservation/restriction easement that restricts the use of the walkway for waterfront access and recreational use by the public; and

WHEREAS the NJDEP also requires as a condition for issuing the permit that LHN provide five (5) free public parking spaces for public access to the walkway and 2 directional signs advising the public of the location of the parking spaces; and

WHEREAS the City has elected to provide on behalf of LHN five (5) designated parking spaces on Marin Blvd; and

WHEREAS the Grant of Conversation Restriction/Easement Agreement will be executed by the City, LHH and LHN; and

WHEREAS N.J.S.A. 40A:12-13(b)1 authorizes the City to convey by Ordinance an easement interest in real property to the NJDEP;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JERSEY CITY THAT:

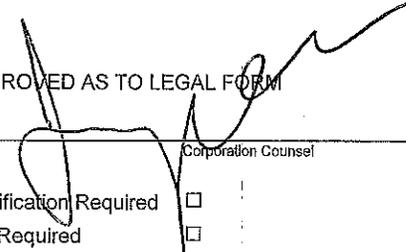
- 1. Subject to such modifications as may deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute the Conversation Restriction/Easement Agreement attached hereto granting the NJDEP an easement restricting the City's Property to use for waterfront access and recreational use by the public; and
- 2. Subject to review and approval by Corporation Counsel, the Mayor or Business Administrator is authorized to execute such other documents that may be necessary or appropriate to effectuate the purposes of this Ordinance.
 - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner as provided by law.
 - D. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

Note: New matter is underlined.

For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

RR;kn

APPROVED AS TO LEGAL FORM



 Corporation Counsel

Certification Required
 Not Required

APPROVED: _____



 Business Administrator

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord.14.122
 TITLE: J.C SEP 23 2014 4.D **OCT 08 2014**

Ordinance authorizing the execution of a grant of conservation restriction/easement agreement for public access to the waterfront among the City of Jersey City and Liberty Harbor Holding, LLC as grantors, LHN Owner Urban Renewal, LLC as the developer and the New Jersey Department of Environmental Protection as grantee.

RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 08 2014 6-0											
Councilperson <u>RIVERA</u>			moved, seconded by Councilperson <u>LAVARRO</u>						to close P.H.		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	ABSENT			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson			moved to amend* Ordinance, seconded by Councilperson						& adopted		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 08 2014 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on **SEP 23 2014**
 Adopted on second and final reading after hearing on **OCT 08 2014**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

Robert Byrne, City Clerk

APPROVED:
 Rolando R. Lavarro, Jr., Council President

Date _____

*Amendment(s):

APPROVED:
 Steven M. Fulop, Mayor

Date **OCT 14 2014**

Date to Mayor: **OCT 09 2014**

City Clerk File No. Ord. 14.123

Agenda No. 3.D 1st Reading

Agenda No. 4.E. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.123

TITLE: **ORDINANCE AUTHORIZING THE TRANSFER OF BLOCK 30305, LOT 6 TO
THE NEW JERSEY TURNPIKE AUTHORITY**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, the New Jersey Turnpike Authority ("NJTA") intends to commence a construction project to improve the New Jersey Turnpike at Interchange 14A (the "Project"), which will include improvements to the ramp network connecting the Turnpike and local roadways at Interchange 14A, including connections to and from Route 440 and Port Jersey Blvd.; and

WHEREAS, Lot 6 in Block 30305 on the City's Tax Map (the "land") is a parcel of land that the NJTA needs to acquire to complete the Project; and

WHEREAS, the City conveyed the land to Bayonne Industries, Inc. on September 23, 1987; and

WHEREAS, First American Title Insurance Company, the title insurance company hired by the NJTA, has concluded that the true owner of the land is inconclusive; and

WHEREAS, First American Title Insurance Company is requesting that the City execute a quitclaim deed conveying the land to the NJTA to resolve any issues of future ownership;

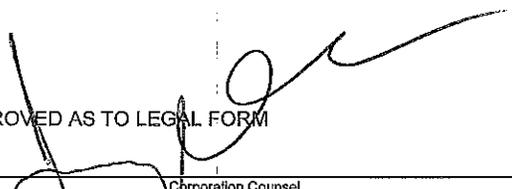
NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute a quitclaim deed in substantially the form attached conveying the land known as Lot 6 in Block 30305 on the City's Tax Map to the NJTA.
 - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner as provided by law.
 - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore, underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and
repealed matter by *italic*.

JM/kn
9/17/14

APPROVED AS TO LEGAL FORM



Corporation Counsel

Certification Required
Not Required

APPROVED: _____

APPROVED: _____



Business Administrator

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE TRANSFER OF BLOCK 30305, LOT 6 TO THE NEW JERSEY TURNPIKE AUTHORITY.

Initiator

Department/Division	Mayor's Office	
Name/Title	Douglas Carlucci	Mayor's Aid
Phone/email	(201) 547-4943	DCarlucci@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

In 1987, the City conveyed Block 30303, Lot 6 on the City's tax map to Bayonne Industries, Inc. However, due to the previous numbering of lots on the City's tax map, the title insurance company for the New Jersey Turnpike Authority is concerned that the owner of the parcel of land is not clear. This ordinance will enable the Mayor or Business Administrator to execute a quitclaim deed to convey the same interests that the city possessed in the property that were conveyed to Bayonne Industries, Inc. in 1987 to the Turnpike Authority to prevent any questions in regards to who owns Block 30303, Lot 6 from occurring in the future.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Prepared by: _____
John McKinney, Esq.

QUITCLAIM DEED

This Deed is made on _____, 2014

Between **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey with offices at City Hall, 280 Grove Street, Jersey City, New Jersey 07302, referred to as the Grantor,

And **THE NEW JERSEY TURNPIKE AUTHORITY** with offices at 581 Main Street, P.O. Box 5042, Woodbridge, New Jersey 07095-5042, referred to as the Grantee.

Transfer of Ownership. The Grantor, for and in consideration of the sum of Zero Dollars (\$0.00), and other good and valuable consideration, paid by the Grantee, receipt of which is hereby acknowledged by the Grantor, grants and conveys the same ownership interests in the Property described below that was conveyed to Bayonne Industries, Inc. by Grantor on September 23, 1987 and recorded in Book 3804, Page 256 with the Hudson County Register, to the Grantee.

Property. The Property consists of the land and improvements in the City of Jersey City, County of Hudson, and State of New Jersey, as follows:

<u>Block No.</u>	<u>Lot No.</u>
30305	6

All those certain lots, tracts, pieces or parcels of land and premises, with the buildings and improvements thereon erected, situate, lying and being in the CITY of JERSEY CITY, County of HUDSON and State of NEW JERSEY.

The City hereby conveys the same interests it may have in property known as Block 30305, Lot 6, on the Tax Map of the City of Jersey City that the City conveyed to Bayonne Industries, Inc. by Grantor on September 23, 1987 and recorded in Book 3804, Page 256 with the Hudson County Register.

This Deed is given under and by virtue of Ordinance No. 14-123 which Ordinance was adopted by the Municipal Council of the City of Jersey City, on October 8, 2014.

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.123
 TITLE: 3.D SEP 23 2014 4.E **OCT 08 2014**

Ordinance authorizing the transfer of Block 30305, Lot 6 to the New Jersey Turnpike Authority.

RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 08 2014 7-0											
Councilperson <u>LAVARRO</u>			moved, seconded by Councilperson <u>COLEMAN</u>						to close P.H.		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	<u>ABSENT</u>			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson			moved to amend* Ordinance, seconded by Councilperson						& adopted		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 08 2014 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	<u>ABSENT</u>			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO		✓		COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014
 Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 08 2014

Robert Byrne, City Clerk

APPROVED:
 Rolando R. Lavarro, Jr., Council President

Date OCT 08 2014

*Amendment(s):

APPROVED:
 Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

City Clerk File No. Ord. 14.124

Agenda No. 3.E 1st Reading

Agenda No. 4.F 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.124

TITLE: **ORDINANCE SUPPLEMENTING CHAPTER A351 (EXECUTIVE ORDERS AND ORDINANCES) OF THE JERSEY CITY CODE**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

A. The following supplements to Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code are adopted:

Labor Grade

Title

*

Maintenance Worker 2 Grounds

B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

C. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth therein. The City shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

D. This ordinance shall take effect at the time and in the manner as provided by law.

E. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in [brackets] are omitted.
For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

*Pursuant to N.J.S.A. 40:69A-43a.

JF/he
9/15/14

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required

Not Required

Ordinance/Resolution Fact Sheet

This summary sheet is to be attached to the front of any ordinance, resolution, cooperation agreement, or contract that is submitted for Council consideration. Incomplete or sketch summary sheets will be returned with the resolution or ordinance. The Department, Division, or Agency responsible for the overall implementation of the proposed project or program should provide a concise and accurate state of facts.

Full Title of Ordinance/Resolution/Cooperation Agreement:

Maintenance Worker 2 Grounds

Name & Title of Person Initiating Ordinance/Resolution, Etc.:

Nancy Ramos, Human Resources Director

Concise Description of the Program, Project, or Plan Proposed in the Ordinance:

To establish a New Title in accordance with New Jersey Department Civil Services Commission Rules and Regulations.

Reasons for the Proposed Program, Project, Etc.:

Anticipated Benefits to the Community:

Cost of Program, Project, Etc.: (Indicate the dollar amount of City, State, Federal funds to be used as well as match and in-kind contributions).

Date Proposed Program or Project will

Commence:

Anticipated Completion

Date:

Person Responsible for Coordinating Proposed Program, Project

Etc.:

Additional Comments:

Union Affiliation -245 Labor Grade 12

I Certify That All Facts Present Herein Are Accurate.

9/5/14

Date

Nancy Ramos

Department Director

Date Submitted to Law Department

9-8-2014

NEW TITLE

TITLE: MAINTENANCE WORKER 2 GROUNDS

Union: 245

LG: 12

Min: 11,100 **Max:** 44,043

Department: Public Works

Division: Parks & Forestry

Acct# 375

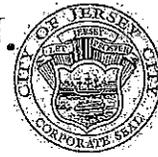
Employee: Terrance Smith

34 Union Street

Jersey City, New Jersey 07305

Salary: \$34,828.00 + \$ 500.00

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.124
 TITLE: 3.E SEP 23 2014 4.F **OCT 08 2014**

Ordinance supplementing Chapter A351 (Executive Orders and Ordinances) of the Jersey City Code. (Maintenance Worker 2 Grounds)

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 08 2014 7-0											
Councilperson <u>COLEMAN</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

JAYSON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT 08 2014 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	ABSENT			YUN	✓			RIVERA	✓		
RAMCHAL	ABSENT			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014

Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **OCT 08 2014**

Robert Byrne
 Robert Byrne, City Clerk

APPROVED:

Rolando R. Lavarro, Jr.

Rolando R. Lavarro, Jr., Council President

Date OCT 08 2014

APPROVED:

Steven M. Fulop

Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

*Amendment(s):

City Clerk File No. Ord. 14.126

Agenda No. 3.6 1st Reading

Agenda No. 4.4 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.126

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-8 (PROHIBITED RIGHT TURNS ON RED SIGNAL) OF THE JERSEY CITY TRAFFIC CODE AMENDING THE DAYS AND HOURS THE RIGHT TURN ON RED SIGNAL IS PROHIBITED AT CANAL ST AND GRAND ST; GRAND ST AND MONMOUTH ST; GRAND ST AND DOUGLAS AND ARTHUR SKINNER MEMORIAL DR (FKA JERSEY AV); GRAND ST AND BARROW ST; GRAND ST AND MARIN BLVD AND GRAND ST AND WASHINGTON ST TO 8:00 A.M. AND 4:00 P.M., SCHOOL DAYS, ALL APPROACHES

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-8 (Prohibited right turns on red signal) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-8 Prohibited right turns on red signal.
No person shall make a right turn when facing a steady red signal (stop indication) at any of the locations listed below.

Name of Street	Direction of Travel	Prohibited Right Turn on Red Signal Onto	Hours and Days
Canal St	North	Grand St	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>
Grand St	All	Grove St	8:00 am to 4 pm School Days
	All	Montmouth St	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>
	All	Douglas and Arthur Skinner Memorial Dr (FKA Jersey Av)	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>
	All	Barrow St	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>
	All	Marin Blvd	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>
	All	Washington St	<u>[All times] 8 am to 4 pm</u> <u>School Days</u>

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material to be inserted is underscored; material to be repealed is in *[brackets]*.

JDS:PCL
(09.04.14)

APPROVED AS TO LEGAL FORM

Corporation Counsel

Certification Required

Not Required

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-8 (PROHIBITED RIGHT TURNS ON RED SIGNAL) OF THE JERSEY CITY TRAFFIC CODE AMENDING THE DAYS AND HOURS THE RIGHT TURN ON RED SIGNAL IS PROHIBITED AT CANAL ST AND GRAND ST; GRAND ST AND MONMOUTH ST; GRAND ST AND DOUGLAS AND ARTHUR SKINNER MEMORIAL DR (FKA JERSEY AV); GRAND ST AND BARROW ST; GRAND ST AND MARIN BLVD AND GRAND ST AND WASHINGTON ST TO 8:00 A.M. AND 4:00 P.M., SCHOOL DAYS, ALL APPROACHES

Initiator

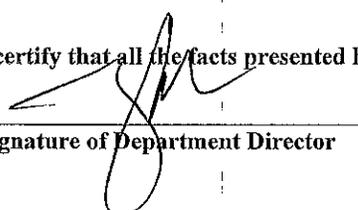
Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza on behalf of Councilwoman Coleman	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

TO AMEND THE DAYS AND HOURS THE RIGHT TURN ON RED SIGNAL IS PROHIBITED AT CANAL ST AND GRAND ST; GRAND ST AND MONMOUTH ST; GRAND ST AND DOUGLAS AND ARTHUR SKINNER MEMORIAL DR (FKA JERSEY AV); GRAND ST AND BARROW ST; GRAND ST AND MARIN BLVD AND GRAND ST AND WASHINGTON ST TO 8:00 A.M. AND 4:00 P.M., SCHOOL DAYS, ALL APPROACHES

I certify that all the facts presented herein are accurate.



Signature of Department Director

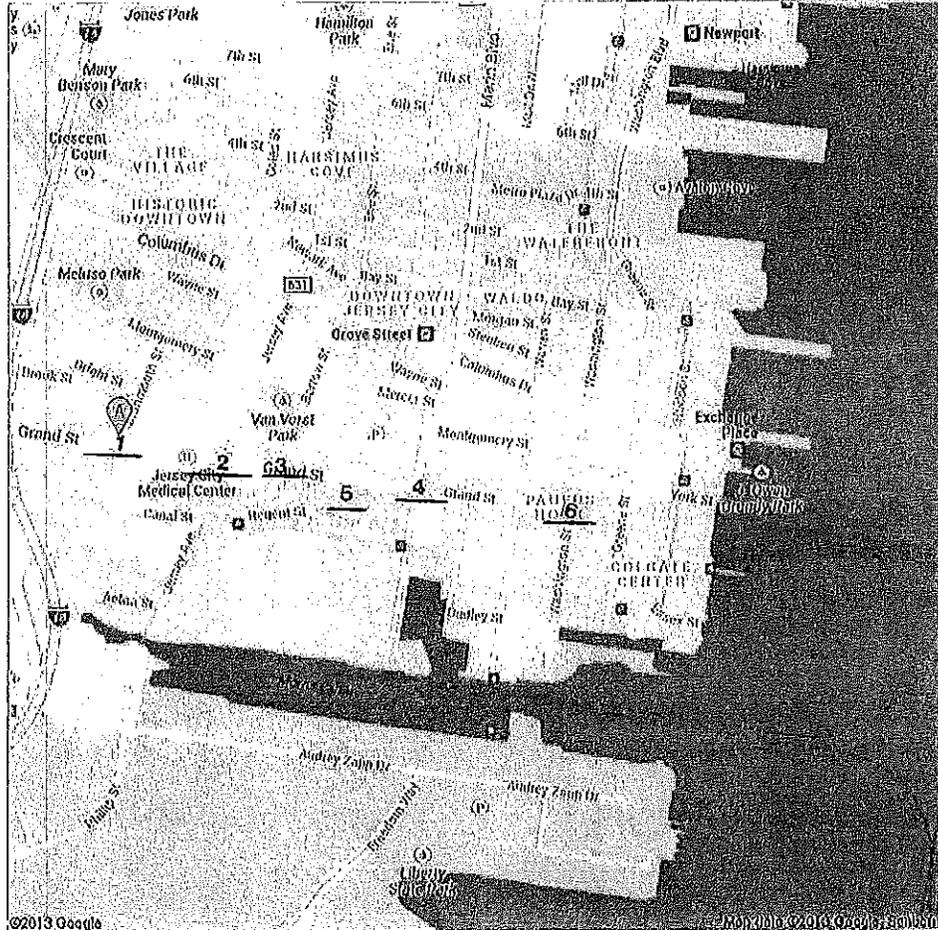
9/17/14

Date



Address Grand St & Monmouth St
Grand St & Monmouth St
Old Colony Square, Jersey City,
NJ 07302

- 1. Grand St & Monmouth St
- 2. Grand St & Douglas and Arthur Skinner Memorial Dr (FKA Jersey Av)
- 3. Grand St & Barrow St
- 4. Grand St & Marin Blvd
- 5. Grand St & Canal St
- 6. Grand St & Washington St



Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.126
 TITLE: 3.G SEP 23 2014 4.H

OCT 08 2014

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-8 (Prohibited Right Turns on Red Signal) of the Jersey City Traffic Code amending the days and hours the right turn on red signal is prohibited at Canal St and Grand St; Grand St and Monmouth St; Grand St and Douglas and Arthur Skinner Memorial Dr (f/k/a Jersey Av); Grand St and Barrow St; Grand St and Marin Blvd and Grand St and Washington St to 8:00 a.m. and 4:00 p.m., School Days, all approaches.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 08 2014 8-0											
Councilperson <u>COLEMAN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____				& adopted							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT 08 2014 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014
 Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 08 2014

Robert Byrne, City Clerk

APPROVED:
 Rolando R. Lavarro, Jr., Council President

Date OCT 08 2014

APPROVED:
 Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

*Amendment(s):

City Clerk File No. Ord. 14.127

Agenda No. 3.H 1st Reading

Agenda No. 4.I. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.127

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE REPEALING THE ONE WAY SOUTH ON COLES STREET FROM TENTH STREET TO TWELFTH STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) of the Jersey City Code is hereby supplemented as follows:

Section 332-5 ONE-WAY STREETS

The streets or parts of streets listed below are hereby designated as one way streets in the direction indicated.

Name of Street	Direction	Limits
Coles St	South	[<i>Twelfth St to Tenth St</i>] <u>Tenth St</u> to Columbus Dr

- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
- The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material to be inserted is underlined; the material to be repealed is in [*brackets*].

JDS:pcl
(09.12.14)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required

Not Required

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-5 (ONE-WAY STREETS) OF THE JERSEY CITY CODE REPEALING THE ONE WAY SOUTH ON COLES STREET FROM TENTH STREET TO TWELFTH STREET

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of James C. McCann, Attorney At Law, Connell Foley LLP, Harborside Financial Center, 2510 Plaza Five, JCNJ 07311, 201.521.1000 ex. 2267 or jmccann@connellfoley.com on behalf of Newport Associates Development Company	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

Designate Coles Street between Twelfth St and Tenth St as a "two-way" roadway.

The Jersey City Planning Board approved the site plan for the construction of The Grant and Cleveland Apartments. The approval included the proposed change in traffic flow on Coles Street, from Twelfth Street to Tenth Street, from a "one way" south to a "two-way" roadway.

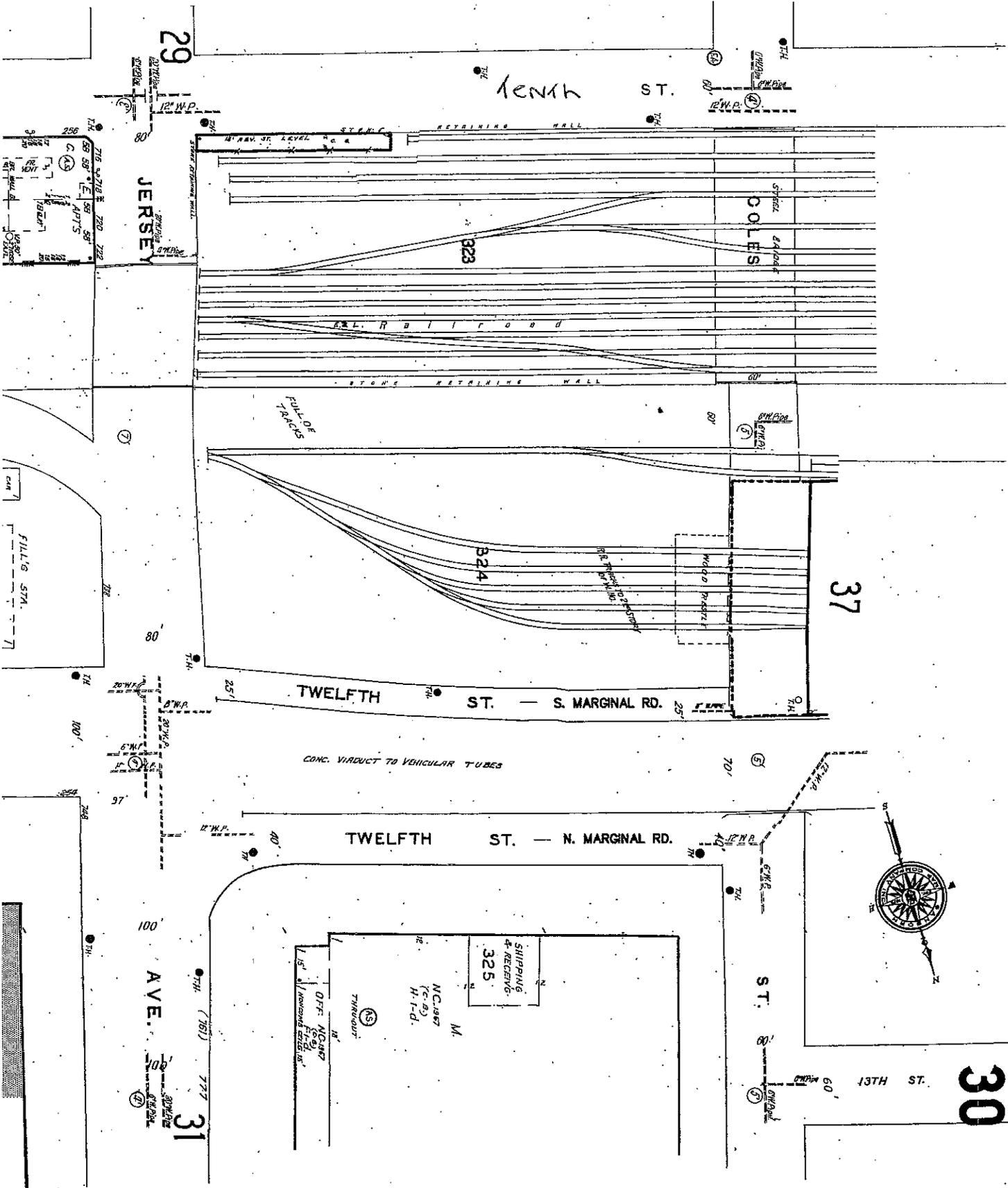
This change in direction would not create a negative impact on traffic circulation in the neighborhood.

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

9/17/14



Hudson Co. Vol. 2

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.127
 TITLE: 3.H SEP 23 2014 4.1 **OCT 08 2014**

An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) amending Section 332-5(One-Way Streets) of the Jersey City Code repealing the one way South on Coles Street from Tenth Street to Twelfth Street

RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 08 2014 8-0											
Councilperson <u>RIVERA</u>			moved, seconded by Councilperson <u>RAMCHAL</u>						to close P.H.		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____			moved to amend* Ordinance, seconded by Councilperson _____						& adopted		
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE OCT 08 2014 8-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

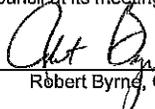
✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014

Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **OCT 08 2014**


 Robert Byrne, City Clerk

APPROVED: 
 Rolando R. Lavarro, Jr., Council President

Date OCT 08 2014

*Amendment(s):

APPROVED: 
 Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014

City Clerk File No. Ord. 14.128

Agenda No. 3.1 1st Reading

Agenda No. 4.J. 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 14.128

TITLE: CONSENT TO 1) CONVEY OWNERSHIP OF A PROJECT CURRENTLY HELD SOLELY BY GRAND LHN I URBAN RENEWAL LLC, TO INCLUDE BOTH KRE 18 PARK URBAN RENEWAL, LLC, AND 18 PARK ACQUISITION URBAN RENEWAL, LLC, AND RESULT IN JOINT AND SEVERAL OWNERSHIP OF THE PROJECT BY ALL THREE ENTITIES; AND 2) ASSUMPTION BY ALL THREE ENTITIES OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Grand LHN I Urban Renewal, LLC, an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. [Entity]; and

WHEREAS, the Entity was the sole Owner of certain property previously designated as Block 15901, Lot 15 - Units 1 and 2, which received approval of a long term tax exemption by the adoption of Ordinance 07-148 on August 22, 2007; and

WHEREAS, pursuant to N.J.S.A. 40A:20-1 et seq., and Ordinance 12-071 adopted on May 23, 2012, the City approved an Amended and Restated Long Term Tax Exemption to construct a building with eleven (11) stories, to contain 422 residential rental units, 14,396 square feet of ground floor retail and/or restaurant space, and 258 onsite parking spaces with a valet parking option, [Project]; and

WHEREAS, the City and Grand LHN I entered into an Amended and Restated Financial Agreement on June 13, 2012, [Amended and Restated Financial Agreement], a copy of which is attached hereto as Exhibit A; and

WHEREAS, upon adoption of Ordinance 12-071, Master Condominium Unit 3 of the Project, known as Block 15901, Lot 15, Unit C0003, more commonly known by the street address of 225 Morris Boulevard, was removed from the tax exemption, resulting in the Project consisting only of Master Condominium 1 and 2, (Unit 3 now to be a transferred title to the Boys and Girls Club, a nonprofit organization); and

WHEREAS, Unit 3 is not subject to a long term tax exemption and it not governed by the this Agreement or the Amended and Restated Financial Agreement; and

WHEREAS, on August 8, 2014, Grand LHN I filed an Application with the City pursuant to N.J.S.A. 40A:20-1 et seq., seeking the City's consent to the transfer of ownership pursuant to Section 9.1 of the Amended and Restated Financial Agreement in part to Grand LHN I Urban Renewal, LLC, KRE 18 PARK Urban Renewal, LLC [KRE], and 18 Park Acquisition Urban Renewal, LLC [Acquisition], so that all three Entities would jointly and severally own Condominium Units 1 and 2 as Tenants in Common, which ownership restructure shall be governed by and between the entities according to a Tenancy in Common Agreement [TIC Agreement], which is annexed hereto; and

WHEREAS, the conveyance is conveyance is necessary in order to qualify as a 1031 Exchange in accordance with the Internal Revenue Service regulations; and

CONSENT TO 1) CONVEY OWNERSHIP OF A PROJECT CURRENTLY HELD SOLELY BY GRAND LHN I URBAN RENEWAL LLC, TO INCLUDE BOTH KRE 18 PARK URBAN RENEWAL, LLC, AND 18 PARK ACQUISITION URBAN RENEWAL, LLC, AND RESULT IN JOINT AND SEVERAL OWNERSHIP OF THE PROJECT BY ALL THREE ENTITIES; AND 2) ASSUMPTION BY ALL THREE ENTITIES OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION

WHEREAS, Section 9.1 of the Amended and Restated Financial Agreement provides that even a transfer of a portion of ownership of the Project or assignment of the Amended and Restated Financial Agreement is null and void unless approved by the City in advance; and

WHEREAS, Section 9.1 of the Amended and Restated Financial Agreement further states that the City shall not unreasonably withhold its consent to the transfer of ownership provided (1) the new entities do not own any other Project subject to long term tax exemption at the time of transfer; (2) the new entities are formed and eligible to operate under the Law; (3) the Original Entity is not in default of the Amended and Restated Financial Agreement or the Law; (4) the obligations under the Agreement is fully and jointly and severally assumed by the new entities; and (5) Grand LHN I shall pay the City a transfer fee equal to 2% of the current Annual Service Charge as required by N.J.S.A. 40A:20-10d; and

WHEREAS, Grand LHN I will be the managing owner (“the Manager”) and shall have the administrative responsibility, on behalf of all the entities for 1) making all payments to the City set forth in the Amended and Restated Financial Agreement, including the Annual Service Charge; 2) making payment of five percent (5%) of the Annual Service Charge to the City for remittance to the County; and 3) filing annually one consolidated audited financial statement with the City on behalf of the entities, which shall be subject to audit at the entities’ sole expense; and

WHEREAS, although Grand LHN I will assume the management duties, each entity shall be jointly and severally liable under the Amended and Restated Financial Agreement, and shall assume all obligations with respect to this Property under the Amended and Restated Financial Agreement, included but not limited to payment of all fees, charges, and interest; payment of Annual Service Charge, annual payment of excess profits, and payment of the County Service Charge; and filing of annual consolidated audited Financial Statements, and shall jointly and severally hold the City harmless from any liability associated with the ownership structure; and

WHEREAS, by adoption of the within Ordinance, the Municipal Council of the City of Jersey City consents to 1) the transfer of a portion of ownership interest of the Project to KRE and Acquisition, as Tenants in Common with Grand LHN I; 2) the assignment of the Amended and Restated Financial Agreement to KRE and Acquisition; 3) the assumption of the Amended and Restated Financial Agreement jointly and severally by the three Entities; and 4) City Business Administrator’s execution of any documents necessary and appropriate to effectuate the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The application of Grand LHN I Urban Renewal LLC, an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., a copy of which is on file in the office of the City Clerk, to convey the ownership of the Project on property designated as Block 15901, Lot 15 - Units 1 and 2, more commonly known by the street address of 18 Park Avenue, and more specifically described by metes and bounds in the application, to Grand LHN I Urban Renewal, LLC, KRE 18 PARK Urban Renewal, LLC, and 18 Park Acquisition Urban Renewal, LLC, jointly and severally, as Tenants in Common is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute an Amended Financial Agreement, which at a minimum shall include the following terms and conditions:

- (1) Each entity shall own the Project and jointly and severally liable as Tenants in Common under the Amended and Restated Financial Agreement.
- (2) The City acknowledges that as of the date hereof, the names and the addresses of the Entities entitled to receive notice under and pursuant to paragraph 9.1 of the Amended and Restated Financial Agreement shall be amended as follows:

CONSENT TO 1) CONVEY OWNERSHIP OF A PROJECT CURRENTLY HELD SOLELY BY GRAND LHN I URBAN RENEWAL LLC, TO INCLUDE BOTH KRE 18 PARK URBAN RENEWAL, LLC, AND 18 PARK ACQUISITION URBAN RENEWAL, LLC, AND RESULT IN JOINT AND SEVERAL OWNERSHIP OF THE PROJECT BY ALL THREE ENTITIES; AND 2) ASSUMPTION BY ALL THREE ENTITIES OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION

Grand LHN I Urban Renewal, LLC [Grand LHN I]
520 US Highway 22, PO Box 6872
Bridgewater, NJ 08807
Attn: David B. Kahan

KRE 18 Park Urban Renewal, LLC [KRE]
520 US Highway 22, PO Box 6872
Bridgewater, NJ 08807
Attn: David B. Kahan

18 Park Acquisition Urban Renewal, LLC [Acquisition]
50 Washington Street
Hoboken, NJ 07030
Attn: Michael Barry

- (3) The Amended and Restated Financial Agreement dated June 13, 2012, hereby remains in full force and effect. No charges otherwise due to the City under the Amended and Restated Financial Agreement are reduced hereby.
- (4) Grand LHN I hereby consents to the assignment of the Amended and Restated Financial Agreement to KRE and Acquisition according to the percentage of ownership interest as allocated in the Tenancy in Common Agreement, annexed and made a part hereto.
- (5) Grand LHN I, KRE and Acquisition shall jointly and severally assume all obligations which previously belonged solely to Grand LHN I under the Amended and Restated Financial Agreement. The Entities shall be jointly and severally liable under the Amended and Restated Financial Agreement for all the monetary and non-monetary obligations and duties enumerated in the Amended and Restated Financial Agreement. The Entities shall assume all risks with respect to the City's approval of the ownership structure for this Property.
- (6) Grand LHN I, KRE and Acquisition shall jointly and severally defend and hold the City harmless from any liability associated with its joint ownership structure.
- (7) The Entities shall file one annual consolidated audited financial statement with the City on behalf of the entities, which shall be subject to audit by the City at the entities' sole expense.
- (8) Expenses shall be included as a deduction in the calculation of Excess Profits pursuant to the Amended and Restated Financial Agreement, except those of one Entity only, as more fully described in the Amended and Restated Financial Agreement, provided however, the City hereby acknowledges and agrees that the transfer of interest set forth herein shall not constitute a revenue or expense of any of the entities pursuant to the Amended and Restated Financial Agreement.
- (9) Nothing associated with the transfer or conveyance of ownership interest shall alter the terms of the Amended and Restated Financial Agreement nor shall the transfer or conveyance of ownership interest negatively impact either the Annual Service Charge paid to the City, or the calculation or obligation to make annual payment of excess profits to the City, or the City's right or ability to collect any charges from the entities, individually or jointly.

C. The City Clerk shall deliver a certified copy of the Ordinance and Agreement consenting to the transfer of a portion of ownership interest in the Project, to the Tax Assessor and Director of the Division of Local Government Services.

CONSENT TO 1) CONVEY OWNERSHIP OF A PROJECT CURRENTLY HELD SOLELY BY GRAND LHN I URBAN RENEWAL LLC, TO INCLUDE BOTH KRE 18 PARK URBAN RENEWAL, LLC, AND 18 PARK ACQUISITION URBAN RENEWAL, LLC, AND RESULT IN JOINT AND SEVERAL OWNERSHIP OF THE PROJECT BY ALL THREE ENTITIES; AND 2) ASSUMPTION BY ALL THREE ENTITIES OF THE FINANCIAL AGREEMENT AND THE LONG TERM TAX EXEMPTION

D. The application is on file with the office of the City Clerk. The Agreement consenting to the transfer of a portion of ownership interest in the Project, shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary.

E. Notwithstanding the amendments contained in the within ordinance, Ordinance 12-071 authorizing the execution of the Amended and Restated Financial Agreement remains in full force and effect.

F. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

G. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

H. This ordinance shall take effect at the time and in the manner provided by law.

I. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

DJ/JM/he
9/18/14

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____

APPROVED: _____

Business Administrator

Certification Required
Not Required

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 14.128

TITLE: 3.I SEP 23 2014 4.J **OCT 08 2014**

Consent to (1) Convey ownership of a Project currently held solely by Grand LHN I Urban Renewal, LLC, to include both KRE 18 Park Urban Renewal, LLC, and 18 Park Acquisition Urban Renewal, LLC, and result in joint and several ownership of the project by all three entities; and 2) Assumption by all three entities of the financial agreement and the long term tax exemption.

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 23 2014 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 08 2014 8-0											
Councilperson <u>OSBORNE</u>				moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____				moved to amend* Ordinance, seconded by Councilperson _____				& adopted			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMAN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE											
OCT 08 2014 7-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	<u>ABSENT</u>			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMAN	<u>ABSENT</u>		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 23 2014

Adopted on second and final reading after hearing on OCT 08 2014

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

Robert Byrne
Robert Byrne, City Clerk

APPROVED: [Signature]
Rodolfo J. Lavarro, Jr., Council President

Date OCT 08 2014

*Amendment(s):

APPROVED: [Signature]
Steven M. Fulop, Mayor

Date OCT 14 2014

Date to Mayor OCT 09 2014