ORDINANCE
OF JERSEY CITY, N.J.

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

CITY ORDINANCE 18-113

TITLE:
ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (1) AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT, ENVIRONMENTAL AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY FOR AND RELATED TO THE PURCHASE OF CERTAIN REAL PROPERTY, THE DEMOLITION OF CERTAIN STRUCTURES, AND THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS WITHIN THE BAYFRONT I REDEVELOPMENT AREA (2) APPROPRIATING $170,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $170,000,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF AND (3) AUTHORIZING THE CITY TO ENTER INTO A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY TO REPRESENT THE CITY IN THE REDEVELOPMENT OF THE BAYFRONT I REDEVELOPMENT AREA


WHEREAS, on March 12, 2008, pursuant to Ordinance 08-025 and the Redevelopment Law, the City adopted a redevelopment plan known as the Bayfront I Redevelopment Plan (hereinafter, the “Redevelopment Plan”); and

WHEREAS, on May 12, 2008, the Jersey City Redevelopment Agency (the “JCRA”) entered into that certain Redevelopment Agreement (the “RDA”) with Bayfront Redevelopment, LLC, a limited liability company of the State of Delaware, having its principal place of business at 115 Tabor Road, Morris Plains, N.J. 07950 (“Bayfront”); and

48295-094: 6031934.8
WHEREAS, the Jersey City Planning Board approved Bayfront’s application for preliminary and final major subdivision for Block 21901, Lots 5-10 and Block 24601, Lots 1-12, and the Jersey City Tax Assessor has assigned the aforementioned parcels a new block and lot numbers as follows: Block 21901.01, Lots 1 thru 9 (the “Final Major Subdivision”); and

WHEREAS, the Final Major Subdivision shall be perfected upon execution of that certain Private Easement Agreement between Bayfront and the City, and thereafter the new block and lots shall appear in the official tax map of the City; and

WHEREAS, the area identified as Block 21901, Lot 4, also known as the “Trenk Lot”, was not included in the Final Major Subdivision but is a part of the Redevelopment Area and the Purchase Agreement (defined below); and

WHEREAS, at a public caucus meeting of the City held on May 21, 2018, the Mayor and the JCRA presented several options as to the future implementation of the redevelopment of the Redevelopment Area; and

WHEREAS, on June 27, 2018, the City Council adopted Resolution 18-609 determining that the City should purchase the development parcels within the Bayfront I Redevelopment Area, in order to, amongst other things, bring the largest number affordable housing units to the Bayfront I Redevelopment Area, allow the City to have flexibility in implementing the goals of the Redevelopment Plan, and permit the City to structure the redevelopment of the Bayfront I Redevelopment Area in a way that best serves the interests of the City and the community; and

WHEREAS, the Bayfront I Redevelopment Area is in an area of the City that holds the key to the future growth and expansion of the City’s western waterfront, and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) of the Local Land and Buildings Law and Sections 8(b) and (c) of the Redevelopment Law each empower municipalities to acquire real property by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement; and

WHEREAS, the Mayor and the City Council of the City have determined that the City has a need to acquire the Development Lots (as defined below) located within the Bayfront I Redevelopment Area in order to effectuate the redevelopment of same in accordance with the Redevelopment Plan; and

WHEREAS, the City desires to enter into a Real Estate Purchase Agreement, by and between the City and Bayfront, attached hereto in substantially final form as Exhibit A, the attachments of which are on file with the City clerk (the “Purchase Agreement”), pursuant to
which the City will purchase all or portions of those certain parcels known as Block 21901, Lots 4 thru 10, and all or portions of Block 24601, Lots 1 thru 12 on the official tax maps of the City, together with all improvements, easements, rights of way, appurtenances and other rights and benefits thereunto (the "Development Lots"), the metes and bounds descriptions of which are included in the Environmental Agreement (defined below), at a purchase price of $90,000,000; and

WHEREAS, the City desires to fund the design and construction of certain infrastructure improvements for phase 1 of the redevelopment of the Bayfront Redevelopment Area, including, but not limited to, the construction of roadways, sewer and water lines, storm water drainage, traffic control devices, electrical and gas infrastructure and landscaping and hardscape improvements for three open-space areas (the "Phase I Infrastructure"); and

WHEREAS, the cost to design and construct the Phase I Infrastructure is estimated to be an amount not to exceed $71,000,000; and

WHEREAS, pursuant to that certain First Amended Consent Decree Regarding Remediation and Redevelopment of Study Area 6 North and that certain First Amended Consent Decree Regarding Remediation and Redevelopment of Study Area 6 South, in each case signed by Hon. Dennis M. Cavanaugh, U.S.D.J. in the matter Jersey City Municipal Utilities Authority v. Honeywell International, Inc., United States District Court, District of New Jersey, and other related cases consolidated under Docket No. 05-5955 (DMC-PS) (collectively, the "Consent Decree"), the City desires to fund the demolition of certain structures located upon the Development Lots, which cost is estimated to be approximately $6,000,000; and

WHEREAS, pursuant to the Consent Decree, Honeywell International Inc. ("Honeywell") shall continue to retain responsibility for the Remediation of Chromium Contamination (as defined in the hereinafter defined Environmental Agreement) and the City shall continue to be responsible for the Remediation of the Non-Chromium Contamination (as defined in the Environmental Agreement), all as further detailed in an Environmental Agreement, by and between the City and Bayfront, attached hereto in substantially final form as Exhibit B, the attachments of which are on file with the City clerk (the "Environmental Agreement"); and

WHEREAS, upon the City’s acquisition of the Development Lots from Bayfront, the RDA with Bayfront will terminate; and
WHEREAS, pursuant to the Redevelopment Law, the City hereby designates the JCRA to act as the redevelopment entity (the "Redevelopment Entity") to implement the Redevelopment Plan and carry out the hereinafter defined Redevelopment Project described therein, within the Bayfront I Redevelopment Area; and

WHEREAS, the JCRA, in its capacity as Redevelopment Entity, shall serve as general agent for the City with respect to any action to be taken, direction to be provided, or right or remedy to be exercised by the City with regard to the Bayfront I Redevelopment Area, pursuant to a Cooperation Agreement, by and between the City and the JCRA, attached hereto in substantially final form as Exhibit C (the "Cooperation Agreement").

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The recitals to this bond ordinance are hereby incorporated as if set forth in full herein.

Section 2. The improvement described in Section 4 of this bond ordinance is hereby authorized to be undertaken by the City as a general improvement. For the improvement or purpose described in Section 4, there is hereby appropriated the sum of $170,000,000. No down payment is required pursuant to N.J.S.A. 40A:12A-37(c) as this bond ordinance authorizes obligations for the purpose of aiding the Redevelopment Entity with respect to the hereinafter defined Redevelopment Project within the City.

Section 3. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of $170,000,000 pursuant to the Redevelopment Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Redevelopment Law.

Section 4. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is to aid in the redevelopment project described in the Redevelopment Plan, including, but not limited to, the acquisition of the Development Lots, the demolition of existing buildings and structures in the Redevelopment Area, the construction of infrastructure improvements, including, but not limited to, the Phase I Infrastructure, any and all obligations set forth in the Purchase Agreement and the Environmental Agreement, and all work and materials
necessary therefore and incidental thereto (collectively, and as further described in the Redevelopment Plan, the "Redevelopment Project").

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 3 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the City's chief financial officer, provided that no bond anticipation note shall mature later than one year from its date, unless permitted otherwise pursuant to applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Redevelopment Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 7. The following additional matters are hereby determined, declared, recited and stated:
(a) The purpose described in Section 4 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement described in the Redevelopment Plan, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments commencing not more than two and ending not more than forty years from the date of issuance.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and bond anticipation notes provided in this bond ordinance by $170,000,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding $20,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The obligations of the City authorized by this bond ordinance shall bear interest at a maximum rate of not to exceed eight (8.00%) per centum per annum.

Section 8. Any grant moneys received for the purpose described in Section 4 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 3 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 4 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 10. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in
connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 12. The Mayor and Business Administrator (including their designees, each an "Authorized Officer"), are each hereby authorized and directed, in consultation with counsel to the City, to execute and deliver the Purchase Agreement, the Environmental Agreement and the Cooperation Agreement in the forms set forth in Exhibit A, Exhibit B and Exhibit C, respectively, attached hereto, with such additions, modifications or deletions recommended by counsel to the City and agreed by the respective parties to such agreements. The Clerk of the City is hereby authorized to attest to the execution of such agreements and, where necessary, affix the seal of the City onto same. Each Authorized Officer of the City is hereby authorized and directed to take any and all action deemed necessary, useful or convenient, and to execute any document, certificate or agreement necessary to effectuate the purposes of this ordinance, the redevelopment of the Redevelopment Area and the transactions contemplated by the Purchase Agreement, the Environmental Agreement and the Cooperation Agreement.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption.
ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (1) AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT, ENVIRONMENTAL AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY FOR AND RELATED TO THE PURCHASE OF CERTAIN REAL PROPERTY, THE DEMOLITION OF CERTAIN STRUCTURES, AND THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS WITHIN THE BAYFRONT I REDEVELOPMENT AREA (2) APPROPRIATING $170,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $170,000,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF AND (3) AUTHORIZING THE CITY TO ENTER INTO A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY TO REPRESENT THE CITY IN THE REDEVELOPMENT OF THE BAYFRONT I REDEVELOPMENT AREA

BOND ORDINANCE STATEMENT AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the City of Jersey City, in the County of Hudson, State of New Jersey on ______________, 2018 and the 20 day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full bond ordinance are available at no cost and during regular business hours, at the Clerk’s office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (1) AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT, ENVIRONMENTAL AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY FOR AND RELATED TO THE PURCHASE OF CERTAIN REAL PROPERTY, THE DEMOLITION OF CERTAIN STRUCTURES, AND THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS WITHIN THE BAYFRONT I REDEVELOPMENT AREA (2) APPROPRIATING $170,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $170,000,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF AND (3) AUTHORIZING THE CITY TO ENTER INTO A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY TO REPRESENT THE CITY IN THE REDEVELOPMENT OF THE BAYFRONT I REDEVELOPMENT AREA

Purpose: Aid in the redevelopment project described in the “Bayfront I Redevelopment Plan” dated February 13, 2008, and adopted by the City Council on March 12, 2008, including, but not limited to, the acquisition of land within the Redevelopment Area, consisting of all or portions of those certain parcels known as Block 21901, Lots 4 thru 10, and all or portions of Block 24601, Lots 1 thru 12 on the official tax maps of the City, fulfillment of any and all obligations pursuant to the acquisition, demolition of existing buildings and structures in the Redevelopment Area, the construction of infrastructure improvements including but not limited to roadways, sewer and water lines, storm water drainage, traffic control devices, electrical and gas infrastructure and landscaping/hardscaping for three open space areas, and all work and materials necessary therefore and incidental thereto.

Appropriation: $170,000,000
Bonds/Notes Authorized: $170,000,000
Grants: N/A
Section 20 Costs: $20,000,000
Useful Life: Not more than 40 years

Robert Byrne, Clerk

APPROVED AS TO LEGAL FORM

APPROVED

Corporation Counsel

APPROVED

Business Administrator

Certification Required □
Not Required □
ORDINANCE FACT SHEET
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 Ordinance.

Full Title of Ordinance

ORDINANCE OF THE CITY OF JERSEY CITY, IN THE COUNTY OF HUDSON, STATE OF NEW JERSEY (1) AUTHORIZING THE CITY TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT, ENVIRONMENTAL AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY FOR AND RELATED TO THE PURCHASE OF CERTAIN REAL PROPERTY, THE DEMOLITION OF CERTAIN STRUCTURES, AND THE CONSTRUCTION OF CERTAIN INFRASTRUCTURE IMPROVEMENTS WITHIN THE BAYFRONT I REDEVELOPMENT AREA (2) APPROPRIATING $170,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $170,000,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF AND (3) AUTHORIZING THE CITY TO ENTER INTO A COOPERATION AGREEMENT WITH THE JERSEY CITY REDEVELOPMENT AGENCY TO REPRESENT THE CITY IN THE REDEVELOPMENT OF THE BAYFRONT I REDEVELOPMENT AREA

Initiator

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<th>Department/Division</th>
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<tr>
<td>Business Administration</td>
<td>Brian Platt</td>
<td><a href="mailto:BPlatt@jcnj.org">BPlatt@jcnj.org</a></td>
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<td>Business Administrator</td>
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Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The purpose of this ordinance is to allow the City to bond for and purchase the Bayfront Property.

I certify that all the facts presented herein are accurate.

Signature of Department Director  Date
**Ordinance of the City of Jersey City, N.J.**

**ORDINANCE NO.** Ord. 18-113  
**TITLE:** Ordinance of the City of Jersey City, in the County of Hudson, State of New Jersey (1) Authorizing the City to enter into a real estate purchase agreement, environmental agreement, and all other documents necessary for and related to the purchase of certain real property, the condemnation of certain residences, and the commencement of certain infrastructure improvements within the Bayfront I Redevelopment Area (2) Appropriating $170,000,000 thereof and authorizing the issuance of $170,000,000 Bonds or Notes of the City to finance the cost thereof and (3) Authorizing the City to enter into a cooperation agreement with the Jersey City Redevelopment Agency to represent the City in the redevelopment of the Bayfront I Redevelopment Area.

**RECORD OF COUNCIL VOTE ON INTRODUCTION**  
**SEP 26 2018**  
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**RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING**  
**OCT 1 0 2018**  
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**RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY**  
**SEP 26 2018**  
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**RECORD OF FINAL COUNCIL VOTE**  
**OCT 1 0 2018**  
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Adopted on first reading of the Council of Jersey City, N.J. on **SEP 26 2018**  
Adopted on second and final reading after hearing on **OCT 1 0 2018**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **OCT 1 0 2018**

*Amendment(s):*

**APPROVED:**  
Rolando D. Lavarro, Jr., Council President  
**OCT 1 0 2018**

**APPROVED:**  
Steven M. Fulop, Mayor  
**OCT 1 1 2018**
COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-114

TITLE:
AN ORDINANCE OF THE CITY OF JERSEY CITY, IN
THE COUNTY OF HUDSON, NEW JERSEY, PROVIDING
FOR A SPECIAL EMERGENCY APPROPRIATION OF
$14,500,000 FOR THE PAYMENT OF CONTRACTUALLY
REQUIRED SEVERANCE LIABILITIES RESULTING
FROM THE RETIREMENT OF CITY EMPLOYEES

WHEREAS, N.J.S.A. 40A:4-53 provides that a municipality may adopt an ordinance
providing for a special emergency appropriation for contractually required severance liabilities
resulting from the retirement of City employees; and

WHEREAS, the Municipal Council of the City of Jersey City, in the County of Hudson,
New Jersey (the "City") has determined to authorize a special emergency appropriation to
provide for the payment of contractually required severance liabilities resulting from the
retirement of City employees; and

WHEREAS, the estimated cost of the payment of the required severance liabilities is
$14,500,000; NOW THEREFORE

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:4-53, the sum of $14,500,000 is hereby
appropriated for the payment by the City of contractually required severance liabilities resulting
from the retirement of City employees, and the same shall be deemed a special emergency
appropriation as defined and provided for in N.J.S.A. 40A:4-55.

Section 2. The portion of the authorization financed shall be provided for in
succeeding annual budgets by the inclusion of at least one fifth of the amount authorized by this
ordinance and financed and as provided in N.J.S.A. 40A:4-55.

Section 3. A copy of this ordinance shall be filed with the Director of the Division of
Local Government Services.
Section 4. This ordinance shall take effect upon final passage and publication as required by law.

Certification Required ☐
Not Required ☒
ORDINANCE 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

<table>
<thead>
<tr>
<th>Department/Division</th>
<th>Administration</th>
<th>Management &amp; Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name/Title</td>
<td>Dorma Mauer</td>
<td>Chief Financial Officer</td>
</tr>
<tr>
<td>Phone/email</td>
<td>201-547-5042</td>
<td><a href="mailto:DonnaM@jcnj.org">DonnaM@jcnj.org</a></td>
</tr>
</tbody>
</table>

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

Resolution Purpose

This ordinance will allow for the appropriation and issuance of up to $14,500,000 in emergency notes to fund accumulated time payouts to retirees.

I certify that all the facts presented herein are accurate.

Signature of Department Director   Date
An ordinance of the City of Jersey City, in the County of Hudson, New Jersey, providing for a Special Emergency Appropriation of $14,500,000 for the payment of contractually required severance liabilities resulting from the retirement of City Employees.

### RECORD OF COUNCIL VOTE ON INTRODUCTION

<table>
<thead>
<tr>
<th>Councilperson</th>
<th>AYE</th>
<th>NAY</th>
<th>N.V.</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIDLEY</td>
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<tr>
<td>PRINZ-AREY</td>
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### RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

<table>
<thead>
<tr>
<th>Councilperson</th>
<th>AYE</th>
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<tbody>
<tr>
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<tr>
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### RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

<table>
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<tr>
<th>Councilperson</th>
<th>moved to amend Ordinance, seconded by Councilperson</th>
<th>adopted</th>
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### RECORD OF FINAL COUNCIL VOTE

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Adopted on first reading of the Council of Jersey City, N.J. on SEP 26 2018

Adopted on second and final reading after hearing on OCT 10 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 10 2018

*Amendment(s):*
COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-116

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING THE JERSEY CITY MUNICIPAL CODE; SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) DESIGNATING NO PARKING ANY TIME ON THE NORTH SIDE OF CLAREMONT AVENUE FROM WATER STREET TO GREENWICH STREET AND ON THE SOUTH SIDE FROM WATER STREET TO MALLORY AVENUE AND AMENDING SECTION 332-23 (NO STOPPING OR STANDING) DESIGNATING BOTH SIDES OF CLAREMONT AVENUE FROM MALLORY AVENUE TO WEST SIDE AVENUE AS NO STOPPING OR STANDING

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

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 Parking prohibited at all times.
No person shall park a vehicle on any of the streets or parts thereof described.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Limits</th>
</tr>
</thead>
</table>
| Claremont Av   | North| [Route 440 east 400 feet]  
[155 feet west of Halstead]  
Halstead St to West Side Av  
Greenwich Dr to Water St |
|                | South| [Route 440 east feet]  
[West Side Av to a point 325 feet east thereof]  
Water St to Mallowry Av |

Section 332-23 NO STOPPING OR STANDING
No person shall stop or stand a vehicle upon any of the streets or parts thereof listed below.

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Limits</th>
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</thead>
<tbody>
<tr>
<td>Claremont Av</td>
<td>Both</td>
<td>Mallowry Av to West Side Av</td>
</tr>
</tbody>
</table>

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

3. 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.

4. 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 repeaters of existing provisions.

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

APPROVED: ________________
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: ________________
Municipal Engineer

APPROVED: ________________
Business Administrator

Certification Required □
Not Required □
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING THE JERSEY CITY MUNICIPAL CODE; SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) DESIGNATING NO PARKING ANY TIME ON THE NORTH SIDE OF CLAREMONT AVENUE FROM WATER STREET TO GREENWICH STREET AND ON THE SOUTH SIDE FROM WATER STREET TO MALLORY AVENUE AND AMENDING SECTION 332-23 (NO STOPPING OR STANDING) DESIGNATING BOTH SIDES OF CLAREMONT AVENUE FROM MALLORY AVENUE TO WEST SIDE AVENUE AS NO STOPPING OR STANDING

Initiator

<table>
<thead>
<tr>
<th>Department/Division</th>
<th>Administration</th>
<th>Engineering, Traffic and Transportation</th>
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</thead>
<tbody>
<tr>
<td>Name/Title</td>
<td>Andrew Vischio, P.E at the request of Councilwoman Prinz-Arey, Ward B</td>
<td>Director of Traffic &amp; Transportation</td>
</tr>
<tr>
<td>Phone/email</td>
<td>201.547.4419</td>
<td><a href="mailto:AVischio@jcnj.org">AVischio@jcnj.org</a></td>
</tr>
</tbody>
</table>

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

Ordinance Purpose

Claremont Avenue does not have sufficient width for two-way traffic and parking on both sides of the street. Given the presence of intersecting streets and driveways along the southerly curb, sight lines would be improved if parking was allowed along the northerly curb instead. Therefore, parking will be prohibited on the south side of Claremont Avenue from Water Street to Mallory Avenue. Parking will be permitted on the north side of Claremont Avenue from Greenwich Drive to Mallory Avenue.

Legislation is proposed designating both sides of Claremont Avenue from West Side Avenue to Mallory Avenue as "no stopping or standing" in order for Chapter 332 of the Municipal Code to reflect what is already signed on the street.

I certify that all the facts presented herein are accurate.

Director of Traffic & Transportation

Signature of Department Director
9/5/2018

Google Maps

Zone Towing & Recovery

Waste Management - Jersey City, NJ

MoneyGram

Extra Space Storage

Trinidad Grocery

Google & Co., Celio

Map date ©2018 Google

No Parking Any Time

https://www.google.com/maps/dir/@40.7172125,-74.0917845,18.39z
An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending the Jersey City Municipal Code, Section 332-22 (Parking Prohibited at All Times) designating No Parking My Time on the north side of Claremont Avenue from Water Street to Greenwich Street and on the south side from Water Street to Mallory Avenue and amending Section 332-23 (No Stopping or Standing) designating both sides of Claremont Avenue from Mallory Avenue to West Side Avenue as No Stopping or Standing.

RECORD OF COUNCIL VOTE ON INTRODUCTION SEP 26 2018

<table>
<thead>
<tr>
<th>COUNCILPERSON</th>
<th>AYE</th>
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RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING OCT 1 0 2018

Councilperson WATERMAN moved, seconded by Councilperson PRINZ-AREY to close P.H.

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RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson moved to amend Ordinance, seconded by Councilperson & adopted

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RECORD OF FINAL COUNCIL VOTE OCT 1 0 2018

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Indicates Vote
N.V.—Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J.on SEP 2 6 2018

Adopted on second and final reading after hearing on OCT 1 0 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 1 0 2018

APPROVED:

[Signature]
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

[Signature]
Rolando R. Lavaro, Jr., Council President

Date OCT 1 0 2018

APPROVED:

[Signature]
Steven M. Fulop, Mayor

Date OCT 1 2 2018

Date to Mayor OCT 1 1 2018
ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 18-117

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) OF THE JERSEY CITY TRAFFIC CODE ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-9 (STOP INTERSECTIONS) DESIGNATING SAYLES STREET AND MINA DRIVE AS A STOP INTERSECTION, STOPPING MINA DRIVE

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

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-9 Stop Intersections.

The Intersections listed below are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

<table>
<thead>
<tr>
<th>Street 1 (Stop Sign On)</th>
<th>Street 2 (At Intersection)</th>
<th>Direction of Travel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mina Dr</td>
<td>Sayles St</td>
<td>East</td>
</tr>
</tbody>
</table>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. 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.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. 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 repeaters of existing provisions.

NOTE: All the material to be inserted is new and underscored.

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) OF THE JERSEY CITY TRAFFIC CODE ARTICLE II (TRAFFIC REGULATIONS) AMENDING SECTION 332-9 (STOP INTERSECTIONS) DESIGNATING SAYLES STREET AND MINA DRIVE AS A STOP INTERSECTION, STOPPING MINA DRIVE

Initiator

<table>
<thead>
<tr>
<th>Department/Division</th>
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<th>Engineering, Traffic and Transportation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name/Title</td>
<td>Andrew Vischio, P.E on behalf of the Jersey City Police Department</td>
<td>Director of Traffic &amp; Transportation</td>
</tr>
<tr>
<td>Phone/email</td>
<td>201.547.4419</td>
<td><a href="mailto:AVischio@jcnj.org">AVischio@jcnj.org</a></td>
</tr>
</tbody>
</table>
An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Traffic Code Article II (Traffic Regulations) amending Section 332-9 (Stop Intersections) designating Sayles Street and Mina Drive as a stop intersection, stopping Mina Drive.

**ORDINANCE NO.**
**TITLE:** An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Traffic Code Article II (Traffic Regulations) amending Section 332-9 (Stop Intersections) designating Sayles Street and Mina Drive as a stop intersection, stopping Mina Drive.

**RECORD OF COUNCIL VOTE ON INTRODUCTION**

<table>
<thead>
<tr>
<th>COUNCILPERSON</th>
<th>AYE</th>
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**RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING**

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Adopted on first reading of the Council of Jersey City, N.J. on **SEP 26 2018**
Adopted on second and final reading after hearing on **OCT 10 2018**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **OCT 10 2018**

**APPROVED:**

Robert Byrne, City Clerk

**APPROVED:**

Rafael R. Lavarro, Jr., Council President

**APPROVED:**

Steven M. Fagop, Mayor

Date **OCT 12 2018**

Date to Mayor **OCT 11 2018**
COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 18-118

TITLE ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BERRY LANE PARK ZONES OF THE MORRIS CANAL REDEVELOPMENT PLAN

WHEREAS, the Municipal Council of the City of Jersey City adopted the Morris Canal Redevelopment Plan in March of 1999, and amended the Plan numerous times subsequently, most recently on November 9, 2016; and

WHEREAS, the amendments proposed herein to the Morris Canal Redevelopment Plan are limited to the paragraphs outlining the requirements and standards of the Berry Lane Park Zone as well as corresponding Map B changes; and

WHEREAS, the Planning Board of Jersey City, at its meeting of June 19, 2018, reviewed this amendment and found there to be many advantages including improved vehicular and pedestrian circulation through the creation of a new street, creation of inclusionary housing, and public parking facilities for a public park; and

WHEREAS, the Planning Board recommended that the proposed amendments be adopted by Municipal Council; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the proposed amendments to the Morris Canal Redevelopment Plan, attached hereto, as recommended by the Jersey City Planning Board on June 19, 2018, be, and hereby is, 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 repeaters 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.
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 ordinance.

Full Title of Ordinance/Resolution

| ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BERRY LANE PARK ZONES OF THE MORRIS CANAL REDEVELOPMENT PLAN |

Initiator

<table>
<thead>
<tr>
<th>Department/Division</th>
<th>The Municipal Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name/Title</td>
<td>Jermaine D. Robinson</td>
</tr>
<tr>
<td>Phone/email</td>
<td><a href="mailto:JDRobinson@jcnj.org">JDRobinson@jcnj.org</a></td>
</tr>
</tbody>
</table>

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

Ordinance Purpose

Please be advised that on June 19, 2018, at the Regular Meeting of the Planning Board of the City of Jersey City the Board reviewed and commented on the proposed ordinance listed above. The purpose of the amendments to the Ordinance is to revise the requirements and standards of the Berry Lane Park Zones. The Amendments proposed still require a road to be built between Woodward Street and Van Horne Street, but now also requires the following: a) 21% of all units created to be inclusionary housing – a minimum of 50% must be provided on-site and a contribution of $18,000 is required for every unit not constructed onsite; and, b) a rededication and buildout of the stub end of Woodward Street into a public parking area for visitors to Berry Lane Park. New bulk and density requirements proposed and coordinating Map B Changes included as well.

At their meeting, the Planning Board discussed, were provided the opportunity to ask questions and reviewed the amendment and its conformance to the Master Plan. After public comments, the Board voted unanimously to recommend to the Council that the Ordinance amending the Morris Canal Redevelopment Plan be adopted.

Public outreach was conducted in lead up to these amendments being scheduled before the Planning Board

I certify that all the facts presented herein are accurate.

Signature of Department Director ___________________________ Date __________
ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE BERRY LANE PARK ZONES OF THE MORRIS CANAL REDEVELOPMENT PLAN

The purpose of the amendments to the Ordinance is to revise the requirements and standards of the Berry Lane Park Zones. The Amendments proposed still require a road to be built between Woodward Street and Van Home Street, but now also requires the following: a) 21% of all units created to be inclusionary housing – a minimum of 50% must be provided on-site and a contribution of $18,000 is required for every unit not constructed onsite; and, b) a rededication and buildout of the stub end of Woodward Street into a public parking area for visitors to Berry Lane Park. New bulk and density requirements proposed and coordinating Map B Changes included as well.
H. **Berry Lane Park Zone**

This district shall encompass lands at and near the foot of Woodward Street and Van Horne Street, Lots 2, 3, 4, 5, 6, 7, 42, 43 & 44 on Block 19901, as depicted in the Zoning Map (Map B).

Purpose: To encourage a more dense pattern of development where housing is within proximity to public park space and a Hudson Bergen Light Rail station.

1. **The provisions of the Berry Lane Park Zone shall only apply to Designated Redevelopers.** Any development conducted within this zone that is not subject to a Redeveloper's Agreement with the Jersey City Redevelopment Agency ("JCRA") is subject to the Residential (R) Zone of this plan.

2. Developers within the Berry Lane Park Zone area are eligible for an increase in density and bulk, subject to designation by the JCRA. Designated Redevelopers are required to fulfill certain community benefits and performance standards for the successful implementation of the objectives of the Redevelopment Plan. These community benefits and performance standards shall be memorialized in a Redeveloper's Agreement, which shall be fully executed prior to site plan approval and which shall be in recordable form. Nothing herein shall be construed to deprive or dispossess the Redevelopment Agency of the discretionary exercise of its redevelopment powers enumerated in N.J.S.A. 40A:12A-1 et seq., including the designation of a redeveloper under the Act. These benefits to the community include, but are not limited to:
   a. Inclusionary housing requirements as described herein.
   b. Publicly dedicated new street is constructed in accordance with City standards, inspected and accepted by the Municipal Engineers, and in the location outlined herein.
   c. Improvements to and rededication of a portion of Woodward Street south of the required new street as described herein.

3. **Infrastructure Requirements**

   a. At a point 98 feet south of the northwest corner of Block 19901 Lot 7 along Woodward Street, a new public right of way shall be created. **The required publicly dedicated street (the New Street) shall be constructed on Lots 6, 7, 42 and 43 on Block 19901.** The right-of-way shall be a minimum of 50 feet in width, with a 34 foot-wide carriageway, & minimum of 10 foot wide sidewalks, and a maximum inside curb radius of R10 at the corner. This new street shall connect existing Woodward Street and existing Van Horne Street. All improvements as required by the Division of Engineering shall be made by the developer in order to be eligible for the density
bonus. Moreover, no certificates of occupancy shall be granted for any buildings developed until the new street has been built, inspected, dedicated to the City, and approved by the Municipal Engineers; or a bond has been posted by the redeveloper in an amount sufficient to assure completion of the required improvements.

b. The JCRA and redeveloper shall rededicate and improve a portion of Lot 2 Block 19901 at the end of Woodward Street as a public right-of-way. The extents of this rededicated area shall be a 30 foot by 30 foot square portion of the northeast area of Lot 2 adjoining Woodward Street. The purpose of this dedicated area is to provide additional public parking available to the residents of the neighborhood and visitors to the adjacent park, and to provide improved access to the park for maintenance and for the general public. The design of this parking area shall be built with the inclusion of cross-walks extending across Woodward Street to the adjacent park at the intersection of Woodward street and the new road. Said improvements shall be incorporated into the redeveloper agreement between the JCRA and the designated developer. Said improvements shall be designed and built as approved by the Planning Board.

5. Inclusionary Housing Requirements
   a. Any development constructed pursuant to the Berry Lane Park Overlay Zone must provide inclusionary housing units equivalent to 21% of the total units constructed within the Zone, rounded up to the nearest whole number.
   b. Of these inclusionary units, a minimum of 50% must be provided on-site.
   c. The designated redeveloper must provide the on-site inclusionary units to be affordable to families of moderate income (i.e. incomes up to 80% of median income), unless the designated redeveloper and the JCRA specify in a redevelopment agreement a different equivalent mix of the on-site inclusionary units affordable to families of low income (incomes up to 50% of median income), moderate income (i.e. incomes up to 80% of median income), and/or work force units (i.e. units affordable to families with incomes up to 120% of median income).
   d. For the number of inclusionary units not constructed on site, the developer shall provide a payment of $18,000.00 per required inclusionary unit not constructed to the JCRA which will deposit the payment to the Affordable Housing Trust Fund of the City of Jersey City.

1. Berry Lane Park Overlay—North
   This overlay zone encompasses property north of the new through street connecting Woodward, and Van Home Streets. The following standards are applicable only if the street, as described above, is provided and all zoning standards are met. If the street is not provided as required and/or zoning standards are not met, the property is subject to Residential (R) zoning.

   a. Permitted Principal Use
      i. One- and two-family homes
      ii. Three-family homes

   b. Accessory Use
      i. Off-street parking
      ii. Restaurant, Category Two

   c. Zoning Standards
i. Minimum lot area: 2,450 square feet
ii. Minimum lot width: twenty-four and one-half (24.5) feet
iii. Minimum lot depth: one hundred (100) feet
iv. Minimum Front Yard Setback: 5 (five) feet
v. Minimum Side Yards: 0 feet
vi. Minimum Rear Yards: 30 (thirty) feet
vii. Maximum building coverage: sixty-five percent (65%)
viii. Maximum lot coverage: eighty-five percent (85%)
ix. Maximum building height: 3 stories
x. All new development shall provide a landscaped area across at least 20 % of the front yard.

xi. Front yard parking is prohibited throughout the district.
xii. A twelve-foot (12’) wide easement shall be provided along the rear property line between homes facing Van Horne and Woodward Streets, utilizing six feet of depth from the rear of each property. This easement shall be accessed from the new through-street and shall provide parking access to each unit. Front facing garages are prohibited.
xiii. Parking: Two garages and one rear yard parking space are required.

d. Design Standards
   Please refer to the design standards in the Section VII for design standards for this district.

2. Berry Lane Park South

This overlay zone encompasses property south of the new through-street connecting Woodward and Van Horne Streets and adjacent to the railroad. The following standards are applicable only if the street, as described above, is provided and all zoning and design standards are met. If the street is not provided as required and/or zoning standards are not met, the property is subject to Residential (R) zoning.

6.a. Permitted Principal Use
   Multi-family apartment buildings

7.b. Permitted Accessory Use
   a. Off-street parking, bicycle storage and loading.
   b. Resident amenity spaces such as indoor and outdoor recreational and fitness areas, meeting rooms, play rooms, community rooms, rooftop landscaped areas, green roofs and other similar amenity spaces and facilities.
   c. Such other uses which are customarily associated with, subordinate and incidental to the permitted principal use.

8.e. Zoning Standards
   a. Minimum Front Yard Setback from the New Street: 5 feet at ground floor, 0 feet starting 15 feet above grade.
   b. Minimum Side Yards: Setback from Van Horne and Woodward Streets: 0 (zero) feet.
   c. Minimum Rear Yards: Setback from the Rail ROW: 0 (zero) feet for parking levels, on the ground floor, 10 5 feet above for residential stories.
   d. Minimum Setback from Berry Lane Park: 5 feet.
No. Coordinating Map & Changes Included

**Minimum Room Size Required:**

- All rooms must be provided with a minimum area of 20 square feet (0.70 square meters) inclusive of the area of the required roof overhang.
- All rooms must be provided with a minimum area of 20 square feet (0.70 square meters) inclusive of the area of the required roof overhang.

**Residential Property:**

- Extent of yard, window, and other decorative elements shall be provided in accordance with the provisions of the Woodland Street and Park Street Ordinances.
- The building setback on the west side of Woodland Street shall be provided in accordance with the provisions of the Woodland Street Ordinances.

**Additional Requirements:**

- All rooms must be provided with a minimum area of 20 square feet (0.70 square meters) inclusive of the area of the required roof overhang.
- All rooms must be provided with a minimum area of 20 square feet (0.70 square meters) inclusive of the area of the required roof overhang.

**Building Setback:**

- All rear setbacks shall be provided in accordance with the provisions of the Woodland Street Ordinances.
- All front setbacks shall be provided in accordance with the provisions of the Woodland Street Ordinances.

**Setback Calculation:**

- The setback is calculated from the front line of the building.
- The setback is calculated from the front line of the building.

**Exemptions:**

- Exemptions may be granted for the following reasons:
  - Historical significance
  - Architectural merit
  - Economic hardship

**Additional Information:**

- Please refer to the design standards in Section VII for design standards for this project.
MEMORANDUM

To: Council President Rolando R. Lavarrro, Jr., City of Jersey City

From: Michael Hanley, Principal, NW Financial Group, LLC
Timothy Elsmier, Managing Director, NW Financial Group, LLC

Date: August 14, 2018

RE: Morris Canal Redevelopment Plan Berry Lane Park Zone Amendment

Summary

- The proposed amendment (the “Amendment”) to the Morris Canal Redevelopment Plan (the “Redevelopment Plan”) will allow for 170 total units to be constructed by Wallabout Holdings, LLC (the “Developer”) adjacent to Berry Lane Park at Woodward Street and Van Horne Street (the “Project” or the “Site”)
- Based on a market capitalization approach, the net market value after construction costs of the Project is approximately $4.1 million
- The value of the rent loss from the 18 on site affordable units required under the Amendment is approximately $2.9 million and the upfront payment to the City of Jersey City’s (the “City”) Affordable Housing Trust Fund for the remaining 18 units will cost the Developer an additional $324,000
- Absent detailed cost projections of the proposed public improvements, NW Financial estimated the cost of the public improvements to be approximately $250,000
- That produces a net incremental market value of the Amendment to the developer of approximately $600,000

Background

The City requested that NW Financial Group, LLC (“NW Financial”), as the City’s financial consultant, review the proposed Amendment to provide the City with a valuation of the proposed 170 units that the Developer will be allowed to construct on the Site. NW Financial’s approach to this analysis and the
resulting valuation are summarized herein. With respect to this valuation, NW Financial relied on the following from both the City and the developer:

- Estimated project costs
- Projected rents and operating expenses
- Projected unit mix
- A copy of the proposed Amendment
- Prior correspondence between the City and the Developer

### Density Bonus Valuation (Market Capitalization)

The value of the density bonus can be calculated by projecting the additional Net Operating Income ("NOI") that the Developer will generate from the additional units, dividing the NOI by an assumed capitalization ratio and subtracting the estimated project costs. With respect to estimating NOI, NW Financial's analysis used projections provided by the developer with respect to revenues and operating expenses. Exhibit 1 below provides an estimate of NOI of the Project at 100% market rate units:

**Exhibit 1**

**Projected Net Operating Income**

<table>
<thead>
<tr>
<th>Gross Potential Revenue</th>
<th>$4,532,471</th>
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<tbody>
<tr>
<td>Less: Vacancy</td>
<td>(226,624)</td>
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<tr>
<td>Annual Revenue</td>
<td>$4,305,847</td>
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<tr>
<td>Operating Expenses</td>
<td>$1,211,209</td>
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<tr>
<td>Net Operating Income</td>
<td>$3,094,638</td>
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</table>

As Exhibit 1 indicates, the projected NOI of the Project at 100% market rate units would be approximately $3,094,638. To calculate a market value of the units, this NOI is divided by an assumed capitalization rate (in this case 5.75%, based on current market conditions plus a certain amount of cushion that considers the development risk associated with the Project). Exhibit 2 on the following page provides a summary of the market value of the Project based on the above NOI and assumed capitalization rate.
Exhibit 2
Market Value of Project at 100% Market Rate

<table>
<thead>
<tr>
<th>Net Operating Income</th>
<th>$3,094,638</th>
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<tbody>
<tr>
<td>Capitalization Rate</td>
<td>5.75%</td>
</tr>
<tr>
<td>Market Value</td>
<td>$53,819,792</td>
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</table>

The net value of the new units is calculated by subtracting the estimated project costs to build the Project from the projected market value. In this case, we used the per unit project costs provided by the Developer. Exhibit 3 below provides a calculation of net value after project costs of the Project:

Exhibit 3
Net Value After Project Costs

<table>
<thead>
<tr>
<th>Market Value</th>
<th>$53,819,792</th>
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<tbody>
<tr>
<td>Estimated Project Costs</td>
<td>$49,707,602</td>
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<tr>
<td>Net Value</td>
<td>$4,112,190</td>
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</tbody>
</table>

As provided in Exhibit 6, the net value of the additional units under this methodology is approximately $4,112,190.

Value of Rent Loss from On-Site Affordable and Payment to Affordable Housing Trust Fund
As per the proposed Amendment and the Developer’s financial projections, the Developer will include 18 affordable units at 80% of Area Median Income ("AMI") on site. As per the Developer’s financial projections, the on-site affordable units will result in an annual rent loss to the developer of $168,985. The value of this rent loss can be calculated by dividing the annual rent loss by an assumed capitalization rate of 5.75%. The resulting value of the rent loss from the on-site affordable units is $2,938,867. For the remaining 18 affordable units required by the Amendment, it is NW Financial’s understanding that the Developer has opted to make the payment of $18,000 per unit rather than include those units as on-site affordable. The resulting one-time cost to the Developer of this payment to the City is $324,000. The total value of the inclusionary zoning requirement under the Amendment is $3,262,867.
Cost of Public Improvements

To estimate the costs of the required road between Woodward Street and Van Horne Street along with the required sidewalks, cross walks and parking lot for Berry Lane Park, NW Financial took into account the length of proposed road, the required size of the sidewalks and the square footage of the parking lot referenced in the Amendment. Based on nationwide averages for the construction of roads and parking lot, NW Financial has estimated the cost of these public improvements to be approximately $250,000. It should be noted that this estimate was not confirmed by the Developer or the City and is a rough estimate of the cost.

Conclusion

Exhibit 4 below provides a comparison of the increase in value to developer of proposed Amendment to the concessions required by the City and the proposed Amendment.

Exhibit 4

Summary of Incremental Value to Developer

<table>
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<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Value of Density Bonus</td>
<td>$4,112,190</td>
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<tr>
<td>Less: Inclusionary Zoning Requirement</td>
<td>(3,262,867)</td>
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<td>Less: Public Improvements</td>
<td>(250,000)</td>
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<td>Net Incremental Value to Developer</td>
<td>$599,323</td>
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As Exhibit 4 indicates the net incremental value to the Developer of the proposed plan Amendment to the Developer is approximately $600,000. This incremental value to the Developer is reasonable given the scope of the Project as well as the fact that the Developer would be unlikely to proceed with a project to generate a zero or negative return on investment.

It is important to remember that different sites and different redevelopment areas will produce significantly different results. Revenue, site conditions, efficiency of site, parking requirements and type of construction all have significant impact on value of land.
Ordinance of the City of Jersey City, N.J.

Ordinance No. Ord. 18-118

Title: Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Berry Lane Park zones of the Morris Canal Redevelopment Plan.

### Record of Council Vote on Introduction

<table>
<thead>
<tr>
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<th>Aye</th>
<th>Nay</th>
<th>N.V.</th>
<th>Councilperson</th>
<th>Aye</th>
<th>Nay</th>
<th>N.V.</th>
<th>Councilperson</th>
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### Record of Council Vote to Close Public Hearing

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### Record of Council Vote on Amendments, if Any

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### Record of Final Council Vote

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<th>N.V.</th>
<th>Councilperson</th>
<th>Aye</th>
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<th>N.V.</th>
<th>Councilperson</th>
<th>Aye</th>
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<th>N.V.</th>
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<td></td>
<td>Lavarro, Pres.</td>
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</table>

### Speakers:

- Jason Burg
- Jennifer Mazawey
- Bob Miller
- Mike Kulowsky
- Jeanne Daly
- Robert Harper
- Lavern Washington
- Bernard Shivers
- Jerome Choice
- Ethel Jones
- Mario Moody
- Patricia Jackson
- Joel Maffei
- Allison Trimbell
- Charlene Mercado
- Arika Muhammad
- Andrea Wittington
- Philip Cummings
- Veronica Sutton
- June Jones
- Colleen Kenny
- Chris Perez
- Ed Kolling
- Jennifer Mazawey
- Felicia Collins
- Mike Hanley

Adopted on first reading of the Council of Jersey City, N.J. on SEP 26 2018

Adopted on second and final reading after hearing on OCT 10 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 10 2018

Robert Byrne, City Clerk

*Amendment(s):*
ORDINANCE OF JERSEY CITY, N.J.

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

CITY ORDINANCE 18-119

TITLE: AN ORDINANCE (1) ACKNOWLEDGING THE TRANSFER OF THE OWNERSHIP INTEREST IN EXETER THOMAS MCGOVERN LAND URBAN RENEWAL, LLC; (2) AMENDING THE FINANCIAL AGREEMENT AUTHORIZED BY ORDINANCE 17-107 THAT APPROVED A 20 YEAR EXEMPTION FOR A PROJECT TO BE CONSTRUCTED ON THE PROPERTY DESIGNATED AS BLOCK 21508, LOT 2, ON THE CITY'S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 295 MCGOVERN DRIVE; AND (3) ACKNOWLEDGING THE AMENDED CONSTRUCTION SCHEDULE OF THE COMMERCIAL WAREHOUSE PROJECT TO BE CONSTRUCTED BY EXETER THOMAS MCGOVERN LAND URBAN RENEWAL, LLC

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

WHEREAS, on August 16, 2017, the Municipal Council approved Ordinance 17-107 which granted a twenty (20) year tax exemption to Exeter Thomas McGovern Land Urban Renewal, LLC (“the Entity”) for a commercial warehouse project to be built on Block 21506, Lot 2, on the City's Official Tax map, and more commonly known by the street address of 295 McGovern Drive (F/K/A as 79 Thomas F. McGovern Drive); and

WHEREAS, Section 9, paragraph 2 of the Financial Agreement authorized by Ordinance 17-107, reads "Nothing herein shall prohibit any transfer of the ownership interest in the Entity itself provided that the transfer, if greater than 10%, is disclosed to the City in the annual disclosure statement or in correspondence sent to the City in advance of the filing of the annual disclosure statement"; and

WHEREAS, pursuant to Section 9, paragraph 2 of the Financial Agreement, prior to the filing of the annual disclosure statement, the Entity wishes to transfer the entirety of its ownership interest to CT Realty which will acquire the ownership interest in the Entity and finance the construction of the warehouse; and

WHEREAS, the correspondence notifying the City of the Entity’s desire to transfer the entirety of its ownership interest to CTR Jersey City 79, LLC (“CTR”) in advance of the filing of the annual disclosure statement is attached hereto as Exhibit “A”; and

WHEREAS, as a condition of taking ownership of the Entity, CTR sought to insure that transfer of the Project, not the tax exemption, would be permitted in a manner that would protect CTR’s interests as the financier of the Project, and accordingly, CTR required that the Entity first enter into a Redevelopment Agreement (RDA) with the Jersey City Redevelopment Agency (JCRA) which provides the lender protections sought by CTR; and

WHEREAS, the RDA was approved on September 17, 2018; and

WHEREAS, in order to ensure that the RDA is consistent with the terms of the Financial Agreement, CTR wishes to clarify the language of Section 9.1 of the Financial Agreement authorized by Ordinance 17-107 to ensure the legal protections requested by the prospective new holders of the ownership interest in the Entity and for the protection of its lender; and
WHEREAS, these revisions would not alter any of the Entity's obligations under Ordinance 17-107 or under the original Financial Agreement; and

WHEREAS, both the Entity and the prospective new holders of the ownership interest in the Entity, CTR, assure the City that changing the ownership of the Entity will not endanger the timely construction of the Project, recognizing that pursuant to the Section 13 of the Ordinance 17-107, construction of the Project is to be commenced within two (2) years from the date of adoption of the Ordinance, and Substantially Completed within five (5) years of the adoption of the Ordinance; and

WHEREAS, Ordinance 17-107 was adopted only one (1) year ago on August 16, 2017 and so there is still a year in which to commence construction and four years to complete construction of the warehouse; and

WHEREAS, a new Disclosure Form indicating the proposed new ownership structure of the Entity and the Project's new Financial Plan is attached hereto as Exhibit “B”; and

WHEREAS, CTR assures the City that the Entity does not own any other Project subject to a long term tax exemption at the time CTR will become the transferee of the ownership interest in the Entity; 2) the Entity is not in default of this Agreement or the Law; 3) after the transfer of the ownership interest in the Entity to CTR, the Entity’s obligations set forth in Ordinance 17-107 and in the Financial Agreement authorized by it will remain unchanged; and 4) the Entity will pay the Transfer Fee as permitted by N.J.S.A. 40A:20-10(d); and

WHEREAS, the Project's new estimated construction schedule is attached hereto as Exhibit “C”; and

WHEREAS, the proposed amendments to Section 9.1 of the Financial Agreement authorized by Ordinance 17-107 are on page 15 of Exhibit “D” which is attached hereto.

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

A. The City hereby acknowledges that pursuant to Section 9, paragraph 2 of the Financial Agreement authorized by Ordinance 17-107, the Entity has formally notified the City of its intent to transfer the entirety of the ownership interest in the Entity Exeter Thomas McGovern Land Urban Renewal, LLC as indicated in Exhibit “A” attached hereto; and

B. The City hereby acknowledges the new Disclosure Form indicating the proposed new ownership structure of the Entity attached hereto as Exhibit “B”; and

C. The City hereby acknowledges the new construction schedule as indicated in Exhibit “C” attached hereto; and

D. Section 9.1 of the Financial Agreement authorized by Ordinance 17-107 is hereby amended to read as is indicated on page 15 of Exhibit “D” attached hereto; and

E. The Mayor or Business Administrator is hereby authorized to execute the amended tax exemption Financial Agreement and which also retains the following provisions:

1. Term: the earlier of twenty-three (23) years from the adoption of Ordinance 17-107 or twenty (20) years from the date the project is Substantially Complete; and

2. Annual Service Charge: each year the greater of the Minimum Annual Service Charge or 13% of the Annual Gross Revenue, which sum is initially estimated to be $137,004; and which shall be subject to statutory staged increases over the term of the tax exemption; and

3. Administrative Fee: 2% of the prior year's Annual Service Charge estimated to be or $2,740; and

4. County Payment: an additional 5% of the Annual Service Charge for
remittance to Hudson County estimated to be $6,850; and

5. Affordable Housing Trust Fund: $44,525 or $0.10 x 95,808 square feet of industrial space and $1.50 x 23,296 square feet of parking space; and.

6. Execution of a Project Employment and Contracting Agreement.

E. The City Clerk shall deliver a certified copy of the amended Financial Agreement to:
   1) the City Tax Assessor; 2) the Director of the New Jersey Division of Local Government Services; 3) the Hudson County Chief Financial Officer; and 4) the Hudson County Counsel, within ten (10) calendar days of adoption or execution, whichever occurs later;

F. The Entity agrees to pay, within ten (10) days of the execution of the amended Financial Agreement, a Transfer Fee equal to 2% of the Annual Service Charge, estimated to be $2,740 in accord with N.J.S.A. 40A:20-10(d).

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

II. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.

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

IV. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of the ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repeaters of existing provisions.

NOTE: All new material is underlined; words struck through are repealed. For purposes of advertising only, new matter is in boldface type and words which are repealed are in italics.

JH/Inna

09/20/18

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED:

Business Administrator

Certification Required

Not Required
ORDINANCE FACT SHEET
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 Ordinance.

Full Title of Ordinance

AN ORDINANCE (1) ACKNOWLEDGING THE TRANSFER OF THE OWNERSHIP INTEREST IN EXETER THOMAS McGOVERN LAND URBAN RENEWAL, LLC; (2) AMENDING THE FINANCIAL AGREEMENT AUTHORIZED BY ORDINANCE 17-107 THAT APPROVED A 20 YEAR EXEMPTION FOR A PROJECT TO BE CONSTRUCTED ON THE PROPERTY DESIGNATED AS BLOCK 21508, LOT 2, ON THE CITY’S TAX MAP AND MORE COMMONLY KNOWN BY THE STREET ADDRESS OF 295 McGOVERN DRIVE; AND (3) ACKNOWLEDGING THE AMENDED CONSTRUCTION SCHEDULE OF THE COMMERCIAL WAREHOUSE PROJECT TO BE CONSTRUCTED BY EXETER THOMAS McGOVERN LAND URBAN RENEWAL, LLC

Initiator

<table>
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<tr>
<th>Department/Division</th>
<th>Law</th>
<th>Office of the Corporation Counsel</th>
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<tbody>
<tr>
<td>Name/Title</td>
<td>Peter J. Baker, Esq.</td>
<td>Corporation Counsel</td>
</tr>
<tr>
<td>Phone/email</td>
<td>201-547-4667</td>
<td><a href="mailto:pbaker@jcnj.org">pbaker@jcnj.org</a></td>
</tr>
</tbody>
</table>

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

Ordinance Purpose

On August 16, 2017, by virtue of Ordinance 17-107, the Municipal Council granted Exeter Thomas McGovern Land Urban Renewal, LLC (“the Entity”) a twenty (20) year tax exemption to construct a commercial warehouse at 295 McGovern Drive. This Ordinance acknowledges the intent to transfer the entirety of the ownership interest in Exeter Thomas McGovern Land Urban Renewal, LLC to CT Realty, and amends Section 9.1 of the Financial Agreement authorized by Ordinance 17-107. This transfer of ownership would in no way alter the Entity’s obligations to the City, though the project’s construction schedule has been delayed.

I certify that all the facts presented herein are accurate.

[Signature]  
September 19, 2018  
Peter J. Baker, Esq.  
Corporation Counsel
EXHIBIT A
September 19, 2018

Via Electronic Mail

Municipal Council of the City of Jersey City
280 Grove Street
Jersey City, New Jersey 07302

City of Jersey City, Department of Law,
Corporation Counsel
280 Grove Street
Jersey City, New Jersey 07302

Re: Transfer of the ownership interests in Exeter Thomas McGovern Land Urban Renewal LLC (the “Entity”) to CT Realty.

Dear Council President and Corporation Counsel:

Pursuant to Section 9.1 of the Financial Agreement dated September 6, 2017, by and between the Entity and the City of Jersey City (the “City”), the Entity hereby discloses to the City in advance of the filing of the annual disclosure statement, that the Entity desires to transfer the entirety of its ownership interest to CT Realty who shall construct the Project as set forth in the Financial Agreement.

Should you have any questions please contact me.

Yours very truly,

COLE SCHOTZ P.C.

/s/ Jonathan Goodelman

Jonathan Goodelman

JZG:bef
EXHIBIT B
OWNERSHIP DISCLOSURE STATEMENT OF APPLICANT

CTR JERSEY CITY 79, LLC, A DELAWARE LIMITED LIABILITY COMPANY

J. Peter Ciocci, who is the Authorized Signer of CTR Logistics LLC, a Delaware limited liability company, which is a member of Applicant, hereby certifies as follows:

The organizational chart reflecting the ownership of Applicant is attached hereto as Exhibit “A”.

The address for all the CTR entities is: 4343 Von Karman Avenue, Suite 200, Newport Beach, California 92660.

The address for all Thackeray entities is 5207 McKinney Avenue, Suite 200, Dallas, Texas 75205.

Remainder of the Page Intentionally Left Blank

Signature Page Follows
CTR JERSEY CITY 79, LLC,
a Delaware limited liability company

By: CTR Logistics, LLC,
a Delaware limited liability company

By: ___________________________
Name: _________________________
Title: __________________________

Sworn before me this ___ day of _______, 2018

Notary Public

[Signature]

SEE ATTACHED JURAT

CALIFORNIA
State of California
County of Orange

Subscribed and sworn to (or affirmed) before me on this 19th day of Sept., 2018, by Dominic J. Petracci, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Kimberly M. Vanderriet
Notary Public - California
Orange County
Commission #2255359
My Comm. Expires Sep 18, 2022

(Seal) Signature

[Signature]
## Construction Schedule

**SPEC WAREHOUSE**  
295 Thomas McGovern Drive  
Jersey City, NJ

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<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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**Notes:**
- 10/1: Site/Building Permits Issued
- 10/2: Demo/Mass Grading/Working Platform
- 10/23: Exterior Utilities
- 4/9: Exterior Concrete
- 4/29: Asphalt Paving
- 5/17: LTP Platform
- 11/30: CMC Installation
- 12/8: Foundations
- 12/24: Precast Erection
- 3/10: Roofing
- 4/11: Building Enclosure (OH Doors/Glass)
- 6/5: Warehouse Interior MEP
- 5/1: Exterior Staining/Painting
- 5/11: Concrete Floor Slabs
- 6/5: Substantial Completion

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- 5/1: Exterior Staining/Painting
- 5/11: Concrete Floor Slabs
- 6/5: Substantial Completion
EXHIBIT D
ORDINANCE NO. 17-107

An ordinance (1) Acknowledging the transfer of ownership interest in Exeter Thomas McGovern Land Urban Renewal, LLC; (2) Amending the financial agreement authorized by Ordinance 17-107, that approved a 20-year exemption for a Project to be constructed on the property designated as Block 2150S, Lot 2, on the City’s Tax map and more commonly known by the street address of 395 McGovern Drive; and (3) Acknowledging the amended construction schedule of the commercial warehouse project to be constructed by Exeter Thomas McGovern Land Urban Renewal, LLC.

RECORD OF COUNCIL VOTE ON INTRODUCTION

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RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

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RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

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RECORD OF FINAL COUNCIL VOTE

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Adopted on first reading of the Council of Jersey City, N.J. on SEP 26 2018
Adopted on second and final reading after hearing on OCT 1 0 2018

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 1 0 2018

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rodolfo R. Lavarro, Jr., Council President
Date OCT 1 0 2018

APPROVED:

Steven M. Fulop, Mayor
Date OCT 1 2 2018

Date to Mayor OCT 1 1 2018