

City Clerk File No. Ord. 17-050

Agenda No. 3.C 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 17-050

TITLE: **ORDINANCE AUTHORIZING THE CITY OF JERSEY TO EXTEND THE
LEASE OF CITY-OWNED PROPERTY AT 103-105 OXFORD AVENUE
TO THE JERSEY CITY PUBLIC SCHOOLS**

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

WHEREAS, the City of Jersey City (City) is the owner of property located at 103-105 Oxford Avenue a/k/a Block 1801, Lots 76 and 78 (Property); and

WHEREAS, the Property is approximately 2,280 square feet and is a paved parking lot that has eighteen (18) parking spaces; and

WHEREAS, the Jersey City Public Schools (School District) has been using the Property as a parking lot for its maintenance vehicles; and

WHEREAS, the City entered into a five (5) year lease commencing on May 1, 2012, with the School District via City Ordinance 12-033, which terms ends April 30, 2017 ("Lease Agreement"); and

WHEREAS, the School District desires to continue using the Property for this purpose; and

WHEREAS, the City agrees to extend the lease of the Property to the School District for the sum of One Dollar (\$1.00) a year; and

WHEREAS, the term of the Lease Agreement shall be extended another (5) years commencing on May 1, 2017, via the Lease Extension Agreement attached hereto, and the City shall have the right to terminate the Lease Agreement at any time without cause by providing sixty (60) days' notice to the School District; and

WHEREAS, N.J.S.A. 40A:12-13(b)(1) and N.J.S.A. 40A:12-19 provide that a municipality may convey an interest in property to a public body corporate and politic for nominal consideration.

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

1. The Mayor or Business Administrator is authorized to execute the attached Lease Agreement Extension with the School District for the Property located at 103-105 Oxford Street subject to the following terms and conditions:
 - (i) the term of the Lease Extension Agreement shall be five (5) years commencing on May 1, 2017 and ending on April 30, 2023;
 - (ii) the City shall have the right to terminate the Lease Agreement without cause at any time by providing sixty (60) days' notice to the School District;
 - (iii) the annual rent shall be \$1.00;

- (iv) the School District shall use the Property for parking eighteen (18) maintenance vehicles and for no other purposes whatsoever;
- (v) the School District shall keep the Property and all parts thereof in a clean and sanitary condition and free from trash, inflammable material and other objectionable matter, and shall keep the sidewalks in front of the Property free of ice, snow and debris;
- (vi) the School District shall indemnify, defend, and hold the City and its officers, agents and employees harmless from any and all claims of personal injury and property damage arising out of the School District's occupancy and use of the Property; and
- (vii) the City shall have the right to terminate the lease at any time without cause by providing sixty (60) days' notice to the School District.

2. The Lease Extension Agreement shall be substantially in the form of the attached, subject to such modifications as the Corporation Counsel or Business Administrator deems necessary or appropriate.

- 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 shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect in the manner as prescribed 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.

BD
4/10/17

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*.

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: 

APPROVED: _____
Business Administrator

Certification Required

Not Required

ORDINANCE/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 CITY OF JERSEY CITY TO EXTEND THE LEASE OF CITY-OWNED PROPERTY AT 103-105 OXFORD AVENUE TO THE JERSEY CITY PUBLIC SCHOOLS.

Initiator

Department/Division	Administration	Real Estate
Name /Title	Ann Marie Miller	Real Estate Manager
Phone/E-Mail	(201) 547-5234	

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

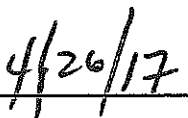
Ordinance/Resolution Purpose

The City entered into a five (5) year lease with the Jersey City Public Schools (School District) commencing on May 1, 2012 and ends April 30, 2017 via Ordinance #12-034. The School District has been using the property as a parking lot for 18 parking spaces for it's maintenance vehicles. The School District desires to continue using the Property for this purpose for the sum of One Dollar (\$1.00) a year. The term of the Lease Agreement shall be extended for another five (5) years commencing on May 1, 2017. The City shall have the right to terminate the Lease Agreement at any time without cause by providing sixty (60) days' notice to the School District.

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. 17-050
 TITLE: 3.C APR 26 2017 4.C MAY 10 2017

Ordinance authorizing the City of Jersey City to extend the lease of city owned property at 103-105 Oxford Avenue to the Jersey City Public Schools. (Lot)

RECORD OF COUNCIL VOTE ON INTRODUCTION APR 26 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAY 10 2017 9-0											
Councilperson <u>WATTERMAN</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H. <u>9-0</u>			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

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

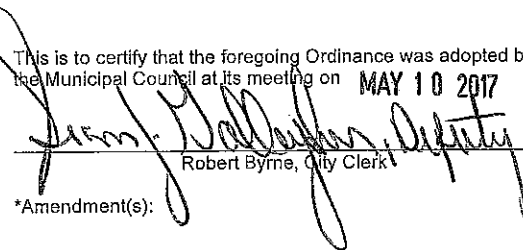
SPEAKERS:


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			
GADSDEN				OSBORNE				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAY 10 2017 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
GADSDEN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

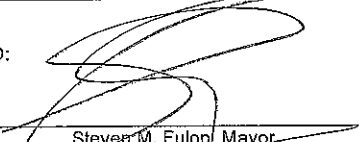
✓ Indicates Vote N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 26 2017
 Adopted on second and final reading after hearing on MAY 10 2017

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on MAY 10 2017

 Robert Byrne, City Clerk

APPROVED: 

 Rolando R. Lavarro, Jr., Council President
 Date MAY 10 2017

APPROVED: 

 Steven M. Fulop, Mayor
 Date MAY 12 2017

Date to Mayor MAY 11 2017