

City Clerk File No. Ord. 19-017

Agenda No. 3-D 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 19-017

TITLE: AN ORDINANCE EXPANDING THE BOUNDARIES OF THE EXCHANGE PLACE SPECIAL IMPROVEMENT DISTRICT TO INCLUDE THE ENTIRETY OF PAULUS HOOK PARK

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, Pursuant to Ordinance 16-176, the Municipal Council of the City of Jersey City authorized the establishment of the Exchange Place Special Improvement District (hereinafter "the District"); and

WHEREAS, the District's boundaries currently include the northeast section of Paulus Hook Park (hereinafter "the Park") which is located at the intersection of Washington and Grand Streets and which is designated as Block 14303, Lot 4; and

WHEREAS, the Park has four (4) distinct sections, each occupying a corner of the intersection of Washington and Grand Streets; and

WHEREAS, the northeast section of the Park is included in the District and the other three sections of the Park, the northwest section, the southwest section and the southeast section, are not currently part of the District; and

WHEREAS, on January 23, 2019, the District's management petitioned the City to expand the boundaries of the District to include the entirety of Paulus Hook Park which would require adding the remaining three sections of the Park into the District; and

WHEREAS, the District seeks to do this because it wishes to improve and revitalize the Park but it can only do so if the entirety of the Park is contained within the boundaries of the District; and

WHEREAS, a map of the proposed expansion is attached hereto as Exhibit "A" and which is also on file in the Office of the City Clerk; and

WHEREAS, the District seeks to include Block 14304, Lot 1 (the Park's southeast section), Block 14305, Lot 8 (the Park's southwest section) & Block 14306, Lot 12 (the Park's northwest section) in the District's expanded boundaries; and

WHEREAS, this proposed expansion includes no other properties; and

WHEREAS, in accordance with N.J.S.A. 40:56-68(b), the Municipal Council finds that (1) the Park would benefit from being included in the District, (2) the District's management corporation would provide administrative and other services which would benefit the Park, and (3) it is in the City's best interest to expand the boundaries of the Exchange Place Special Improvement District to include the entirety of Paulus Hook Park; and

WHEREAS, by virtue of the Park being owned by the City, the Park would be expressly exempt from any fee, tax or special assessment which is imposed on all the other properties within the District; and

WHEREAS, in accordance with N.J.S.A. 40:56-71, at least ten (10) days prior to the public hearing on this Ordinance, a copy of this Ordinance and notice of the date, time and place of the hearing shall be mailed to the owners of the lots or parcels of land abutting or directly affected by the expansion of this District.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that the boundaries of the Exchange Place Special Improvement District are hereby expanded to include Block 14304, Lot 1, Block 14305, Lot 8 & Block 14306, Lot 12 signifying the entirety of Paulus Hook Park and Chapter 69 (Special Improvement Districts), Article VI (Exchange Place Special Improvement District) be amended to read as follows:

**CHAPTER 69
SPECIAL IMPROVEMENT DISTRICTS**

**ARTICLE VI
Exchange Place Special Improvement District**

§ 69-68. - Purpose.

The purposes of this article are to:

- A. Promote economic growth and employment within the expanded Exchange Place business district;
- B. Foster and encourage self-help programs to enhance the local business climate;
- C. Create a self-financing special improvement district to assist in meeting local needs, goals and objectives;
- D. Designate a district management corporation to implement and manage the programs and carry out local needs, goals and objectives;
- E. Impose and collect a special assessment on property and parking lots located within the expanded Exchange Place Business District.

§ 69-69. - Definitions.

- A. *Special improvement district* (also referred to as "district") means that area of Exchange Place described by block and lot numbers and street addresses as set forth in Schedule A, as amended by Ordinance 19-017, and a copy of the assessment role dated November 9, 2016 which is on file in the office of the City Clerk, and designated by this article, in which a special assessment on the commercial property within the district (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the district and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the district management corporation and approved by the Municipal Council.
- B. *District management corporation* means the Exchange Place Alliance, (also referred to as "Management Corporation") an entity incorporated pursuant to Title 15A of the New Jersey Statutes and designated by this article to receive funds collected by a special assessment within the special improvement district, as authorized by this article and any amendments thereto.

§ 69-70. - Findings.

NO CHANE

§ 69-71. - Creation of district.

- A. There is hereby created and designated within the City of Jersey City a special improvement district to be known as the Exchange Place Special Improvement District consisting of those properties designated by tax block and lot and street addresses on Schedule A, as amended by Ordinance 19-017, attached hereto and on file in the Office of the City Clerk. The properties within the special improvement district that shall be subject to special assessment for the purposes of promoting the economic and general welfare of the district and the City include all commercial properties (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, shall be imposed for the purposes of promoting the economic and general welfare of the district and the City. The amount of the special assessment for each property subject to the special assessment shall be equal to the percentage derived by dividing the assessed value of such property as of January 1 of any given calendar year, notwithstanding that the assessment may thereafter change, by the assessed value of all properties subject to the special assessment on January 1 of a given year, notwithstanding that the assessment may thereafter change, multiplied by the total amount of the budget proposed by the district management corporation and approved by the Municipal Council.
- B. All commercial properties within the special improvement district (including multi-tenant residential rental buildings), including without limitation those properties set forth on Schedule B, all private properties; and tax exempt land which contain improvements subject to property tax, are deemed included in the assessing and taxing provisions of this article and are expressly subject to any fee, tax or assessment made for special improvement district purposes.
- C. Only those properties within the special improvement district that are fully tax-exempt or are deemed excluded from the assessing provisions of this article and are expressly exempt from any fee, tax or assessment made for special improvement district purposes.

§ 69-72. - Appeal of property owner from inclusion in the district.

NO CHANGE.

§ 69-72.1. - Assessments.

NO CHANGE.

§ 69-73. - Designation of district management corporation.

NO CHANGE.

§ 69-74. - Powers of district management corporation.

NO CHANGE.

§ 69-75. - By-laws.

NO CHANGE.

§ 69-76. - Municipal powers retained.

NO CHANGE.

§ 69-77. - Annual budget.

NO CHANGE.

§ 69-78. - Fiscal requirements; annual report; audit.

NO CHANGE.

§ 69-79. - No limitations of powers.

NO CHANGE.

§ 69-80. - Implementation.

NO CHANGE.

§ 69-81. - Severability.

NO CHANGE.

- I. All ordinances and parts of ordinance inconsistent herewith are hereby repealed.
- II. 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 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 be and 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 provisions.

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

JJH 2/21/19

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____


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 EXPANDING THE BOUNDARIES OF THE EXCHANGE PLACE SPECIAL IMPROVEMENT DISTRICT TO INCLUDE THE ENTIRETY OF PAULUS HOOK PARK

Initiator

Department/Division	Department of Business Administration	Office of the Business Administrator
Name/Title	Brian D. Platt	Business Administrator
Phone/email	201-547-4513	bplatt@jcnj.org

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

Ordinance Purpose

This Ordinance authorizes the expansion of the Exchange Place SID to include the entirety of Paulus Hook Park. Currently, the boundaries of the SID only contain the northeast quadrant of the Park at the intersection of Grand and Washington Streets.

I certify that all the facts presented herein are accurate.



Brian D. Platt
Business Administrator

February 21, 2019

Date

EXHIBIT A

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



ORDINANCE NO. Ord. 19-017
 TITLE: 3.D FEB 27 2019 4.A **MAR 27 2019**

An ordinance expanding the boundaries of the Exchange Place Special Improvement District to include the entirety of Paulus Hook Park.

RECORD OF COUNCIL VOTE ON INTRODUCTION FEB 27 2019 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING MAR 27 2019 8-0											
Councilperson <u>LAVARRO</u>				moved, seconded by Councilperson <u>PRINZ-AREY</u> to close P.H.							
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	ABSENT		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMAN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

YVONNE BALCER

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.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMAN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE MAR 27 2019 7-1											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	ABSENT		
PRINZ-AREY	✓			SOLOMON	✓			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 **FEB 27 2019**

Adopted on second and final reading after hearing on **MAR 27 2019**

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on **MAR 27 2019**

Robert Byrne
 Robert Byrne, City Clerk

*Amendment(s):

APPROVED: *[Signature]*

 Rolando R. Lavarro, Jr., Council President

Date **MAR 27 2019**

APPROVED: *[Signature]*

 Steven M. Fulop, Mayor

Date **MAR 28 2019**

Date to Mayor **MAR 28 2019**