

**PARKING AUTHORITY
CITY OF UNION CITY, COUNTY OF HUDSON, STATE OF NEW JERSEY**

Resolution #2017-071

**RESOLUTION AUTHORIZING THE PARKING AUTHORITY OF
THE CITY OF UNION CITY TO ENTER INTO A LEASE AGREEMENT WITH THE
HUDSON COUNTY IMPROVEMENT AUTHORITY AND THE UNION CITY BOARD OF
EDUCATION FOR BLOCK 213, LOT 28 ON THE TAX ASSESSMENT MAP OF THE CITY OF
UNION CITY**

WHEREAS, the Parking Authority of the City of Union City (the "Parking Authority") is fee simple owner of a surface parking lot located at 516-526 35th Street and 517-527 36th Street and more particularly described as Block 213, Lot 28 (the "Premises") on the Official Tax Map of the City of Union City (the "City"); and

WHEREAS, as a result of significant growth in student enrollment the City of Union City School District (the "School District") intends to construct a new middle school building within the City to accommodate the increase in student enrollment and as a result new parking will be needed for School District personnel located at the new middle school building; and

WHEREAS, in order to accommodate the increased parking requirements that will be created as a result of the construction of the new middle school, the School District and the Parking Authority have requested that the Hudson County Improvement Authority ("Improvement Authority") provide assistance with the finance of a six-story parking deck at the Premises, and all ancillary work thereto including improvements to appurtenant roads and lands, entrances and exits ramps, curbs, sidewalks, traffic signals, landscaping, paving and all materials and work necessary therefor or incidental thereto (the "Facility"); and

WHEREAS, the School District will license or otherwise make available to the Parking Authority four of the six floors of the Facility for municipal and general parking use (the "Parking Authority Floors") and shall retain two of the six floors for its personnel and guests (the "School District Floors"), and upon termination of the Lease Agreement the Facility and the Premises will revert to the Parking Authority with the Parking Authority providing an ongoing license to the School District for the use of the School District Floors; and

WHEREAS, the Parking Authority desires to enter into a ground lease with the Improvement Authority, for the Premises, for a period of 20 years in consideration for the Parking Authority Spaces, and the Improvement Authority desires to take and lease the Premises from the Parking Authority upon the terms and conditions that are set forth in the Lease Agreement for the purpose of acquiring, constructing, equipping, financing, furnishing, improving or providing the Facility; and

WHEREAS, the Board seeks to enter into a lease agreement with the HCIA for the construction costs associated with the six-story parking structure, for a term of twenty (20) years, provided that said lease agreement is approved by the Commissioner of the Department of Education in accordance with *N.J.S.A. 18A:20-4.2(e)*; and

WHEREAS, the School District, Improvement Authority and Parking Authority acknowledge that as part of the School District's consideration for entering into the Lease Agreement, the Parking Authority shall provide the School District with an ongoing license to the School District for the School District Spaces for a period of twenty-five (25) years beginning upon the conclusion of the Lease Term,

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Parking Authority of the City of Union City, Hudson County, New Jersey as follows:

1. The aforementioned paragraphs are hereby incorporated as if specifically set forth and reiterated herein.
2. The Authority hereby approves and authorizes the Acting Executive Director, and any other required Authority officer, to execute a Lease Agreement with the Improvement Authority and the School District, as approved by General Counsel, for Block 213, Lot 28, for a term of 20 years, in accordance with the terms of said Agreement.

Adopted: August 22, 2017

I hereby certify that the Union City Parking Authority duly Adopted the foregoing on August 22, 2017



Neil Marotta
General Counsel

Moved: B. Rosario
Seconded: D. Rivera

	Yes	No	Abstain	Absent
Adams	<u>✓</u>	_____	_____	_____
Chaour	<u>✓</u>	_____	_____	_____
Leonard	<u>✓</u>	_____	_____	_____
Marte	_____	_____	_____	<u>✓</u>
Rivera	<u>✓</u>	_____	_____	_____
Rosario	<u>✓</u>	_____	_____	_____
White	<u>✓</u>	_____	_____	_____