

City Clerk File No. Ord. 16.152

Agenda No. 3-D 1st Reading

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



## ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.152

TITLE: **ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A LEASE AGREEMENT WITH THE JERSEY CITY EMPLOYMENT AND TRAINING PROGRAM (JCETP), A NEW JERSEY NOT-FOR-PROFIT, PURSUANT TO N.J.S.A. 40:12-14(c)**

**WHEREAS**, the City of Jersey City ("City") is the owner of certain personal property not needed for public purposes, i.e., those certain passenger vans which can seat up to fifteen passengers which are not utilized by the City ("Property");

**WHEREAS**, the City is authorized under N.J.S.A. 40A: 12-14(c) to lease personal property not needed for public use to a nonprofit organization for the promotion of the health, safety, morals and general welfare of the community;

**WHEREAS**, JCETP, Lessee, is an approved nonprofit 501(c)3 corporation, and the administrative entity for the Jersey City Local Workforce Investment Area ("LWIA") pursuant to the Workforce Investment Act, 29 U.S.C. Sec. 2801 et seq.;

**WHEREAS**, pursuant to 29 U.S.C. Sec. 2841(d) and (e), the JCETP was designated the One Stop Operator for the City LWIA;

**WHEREAS**, as the City's One Stop Operator, the JCETP offers various employment training programs to City residents;

**WHEREAS**, JCETP has been servicing Jersey City residents for the last 28 years with a mission of helping the community to work through personal outreach services, workshops to prepare job seekers, intensive services for qualified customers and youth services to support both in-school youth needing summer employment & career guidance, and out of school youth preparing to enter the workforce;

**WHEREAS**, JCETP operates programs out throughout Jersey City and Hudson County and desires to lease the Property for a term of approximately two (2) years, from the Effective Date, for uses in furtherance with its mission;

**WHEREAS**, both the City and JCETP desire to enter into this Lease of the Property;

**WHEREAS**, the City believes that the leasing of the Property to JCETP will promote the public's general health, safety and welfare as ready transportation access will enable and/or enhance JCETP's apprenticeship, training and work opportunities; and

**WHEREAS**, the City has determined that it will advance the general welfare of the residents of the City to enter into the Lease for a nominal monetary consideration of one dollar (\$1.00).

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

**ORDINANCE AUTHORIZING THE CITY OF JERSEY CITY TO ENTER INTO A LEASE AGREEMENT WITH THE JERSEY CITY EMPLOYMENT AND TRAINING PROGRAM (JCETP), A NEW JERSEY NOT-FOR-PROFIT, PURSUANT TO N.J.S.A. 40:12-14(c)**

1. Subject to such modifications as may be deemed necessary or appropriate by Corporation Counsel, the Mayor or Business Administrator is authorized to execute a Lease Agreement in substantially the form of the attached.
2. The consideration for this lease shall be one dollar (\$1.00) and such other good and valuable consideration benefiting the public at large.
3. The public purpose of the Lease is to promote the public's general health, safety and welfare by enabling and/or enhancing transportation access JCETP's apprenticeship, training and work opportunities.
4. The number of persons benefiting from the lessee's public purpose includes clients of the JCETP and persons both within and without the municipality.
5. The term of the lease is for two (2) years.
6. The officer responsible for enforcing the conditions for the lease shall be the Director of the Department of Public Works (the "Director").
7. The lessee shall annually submit to the Director a report setting forth the use to which the leasehold was put to during the preceding year; the activities of the lessee undertaking in furtherance of the public purpose for which the lease hold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax- exempt status of said lessee pursuant to both State and federal law.
8. All other ordinances or prior leases in conflict or inconsistent with this ordinance or the new lease are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the City, the provisions hereof shall be determined to govern.
9. If any article, section, subsection, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.
10. This Ordinance shall take effect immediately upon final passage and publication according to law.

MR/bd  
September 16, 2016

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
Corporation Counsel

APPROVED:

APPROVED:

*Mark Radford*  
\_\_\_\_\_  
Business Administrator

Certification Required   
Not Required

**RESOLUTION FACT SHEET - CONTRACT AWARD**

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 ENTER INTO A LEASE AGREEMENT WITH THE JERSEY CITY EMPLOYMENT AND TRAINING PROGRAM (JCETP), A NEW JERSEY NOT-FOR-PROFIT, PURSUANT TO N.J.S.A. 40:12-14(c)**

**Project Manager**

Department/Division	DPW	Director's Office
Name/Title	Mark Redfield	DPW Director
Phone/email	201-547-440	markr@jcnj.org

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

**The purpose of this resolution is to:**

- ✦ The City of Jersey City ("City") is the owner of certain personal property not needed for public purposes, i.e., those certain passenger vans which can seat up to fifteen passengers which are not utilized by the City.
- ✦ JCETP, Lessee, is an approved nonprofit 501(c) 3 corporation and the administrative entity for the Jersey City Local Workforce Investment Area ("LWIA") pursuant to the Workforce Investment Act, 29 U.S.C. Sec. 2801 et seq.
- ✦ JCETP operates programs out throughout Jersey City and Hudson County and desires to lease the Property for a term of approximately two (2) years, from the Effective Date, for uses in furtherance with its mission.
- ✦ The City has determined that it will advance the general welfare of the residents of the City to enter into the Lease for a nominal monetary consideration of one dollar (\$1.00).

**Cost (Identify all sources and amounts)**

**Contract term (include all proposed renewals)**

[Empty box for Cost information]

[Empty box for Contract term information]

**Type of award**

Lease Agreement

**If "Other Exception", enter type**

[Empty box for Other Exception type]

**Additional Information**

[Empty box for Additional Information]

I certify that all the facts presented herein are accurate.

*Mark Redfield*  
Signature of Department Director

9/19/16  
Date

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



ORDINANCE NO. Ord. 16.152  
 TITLE: 3.D SEP 28 2016 4.D **OCT 12 2016**

An ordinance authorizing the City of Jersey City to enter into a lease agreement with the Jersey City Employment and Training Program (JCETP), a New Jersey not-for-profit, pursuant to N.J.S.A. 40:12-14(c).

RECORD OF COUNCIL VOTE ON INTRODUCTION											
SEP 28 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING											
OCT 12 2016 9-0											
Councilperson <u>WATTERMAN</u>				moved, seconded by Councilperson <u>OSBORNE</u>				to close P.H.			
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

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

RECORD OF FINAL COUNCIL VOTE											
OCT 12 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
HALLANAN	✓			OSBORNE	✓			WATTERMAN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on SEP 28 2016  
 Adopted on second and final reading after hearing on OCT 12 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on OCT 12 2016

Robert Byrne, City Clerk

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

Date OCT 12 2016

\*Amendment(s):

APPROVED:   
 Steven M. Fulop, Mayor

Date OCT 18 2016

Date to Mayor OCT 13 2016