

RESOLUTION NO. 2014-12-2-3

RESOLUTION OF THE PARKING AUTHORITY OF THE TOWNSHIP OF BLOOMFIELD APPROVING AMENDMENT TO RESIDENTIAL PARKING AGREEMENT

WHEREAS, by Resolution adopted on January 19, 2010, the Township Council of the Township of Bloomfield (the "Township Council") designated the properties known as Block 243, Lots 13, 25, 27, 28, 30, 31, 32, 37 and 38 on the Township's Tax Map (the "Redevelopment Area") as an area in need of redevelopment known as the "Block 243 Redevelopment Area", in accordance with the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et. seq.* (the "Redevelopment Law"); and

WHEREAS, on August 13, 2012 the Township Council adopted Ordinance No. 1947 approving and adopting a redevelopment plan for the Block 243 Redevelopment Area (the "Redevelopment Plan"); and

WHEREAS, by Resolution adopted on September 17, 2012, the Township Council designated MCP Bloomfield Urban Renewal, LLC (the "Entity") as the redeveloper for the Redevelopment Area; and

WHEREAS, on August 12, 2013, the Township and the Entity entered into that certain Redevelopment Agreement (the "Redevelopment Agreement"), pursuant to which the Entity will construct, in the Redevelopment Area, a project consisting of approximately 140 residential units (the "Residential Component"), approximately 11,000 square feet of retail space (the "Retail Component") and approximately 140 on-site parking spaces (the "Parking Component" and, together with the Residential Component and the Retail Component, the "Project"); and

WHEREAS, the approximately 140 on-site parking spaces are inadequate to serve the needs of the Residential Component; and

WHEREAS, in accordance with the Parking Authority Law, *N.J.S.A 40:11A-1 et seq.* (the "Parking Authority Law"), the Bloomfield Parking Authority (the "Authority") shall within the Township, provide for, construct and operate off-street parking projects, manage and operate on-street parking meters and related facilities, enforce applicable parking laws, ordinances and regulations, promote the free movement of traffic and relief of traffic congestion, and improve conditions affecting public safety and general welfare; and

WHEREAS, the Authority is authorized under the Parking Authority Law to manage, maintain, operate and use parking projects, which in the opinion of the Authority, will provide an effective and satisfactory method for promoting its purposes; and

WHEREAS, the Authority is further authorized to lease "parking projects" or portions thereof, charge and collect rents, rates and other charges for the use of the Authority's projects

and facilities, and enter into contracts with any person with respect thereto, all in accordance with the Parking Authority Law; and

WHEREAS, on August 26, 2013, the Authority and the Entity entered into that certain Residential Shared Parking Agreement and Lease (the "Parking Agreement"), pursuant to which the Authority is to make certain parking spaces available to the Entity on behalf of the tenants of the Residential Component; and

WHEREAS, the parking spaces the Authority agreed to make available to the Entity were depicted in a map attached as Exhibit A to the Parking Agreement and included parking spaces within the Royal Theater Lot (the "Parking Spaces"); and

WHEREAS, at the request of the Entity, the Authority desires to modify the location of the Parking Spaces; and

WHEREAS, the Authority desires to provide, in the Parking Agreement, that the Parking Spaces will include at least fourteen (14) parking spaces in the State Street Lot and the balance in the Farrand Street Lot, and no parking spaces in the Royal Theater Lot; and

WHEREAS, the Authority agrees that, except for possible emergent circumstances, during the term of the Parking Agreement it will not utilize the parking lot now known as the Upper Royal Theater Lot to serve the Residential Component; and

WHEREAS, the Executive Director is authorized and directed to prepare a map depicting the Parking Spaces as modified herein and to replace the map attached to the Parking Agreement as Exhibit A with a map so modified.

NOW, THEREFORE, BE IT RESOLVED by the Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Parking Spaces in the Parking Agreement will include at least fourteen (14) parking spaces within the State Street Lot and the balance in the Farrand Street Lot, and no parking spaces in the Royal Theater Lot;
3. The Executive Director is hereby authorized and directed to prepare a map depicting the Parking Spaces as modified herein and to replace the map attached to the Parking Agreement as Exhibit A with a map so modified.
4. During the term of the Parking Agreement, the Authority will not utilize the parking lot now known as the Upper Royal Theater Lot to serve the Residential Component, except in the event of an emergency.

5. A copy of this resolution shall be available for public inspection at the offices of the Authority.

6. This resolution shall take effect immediately.

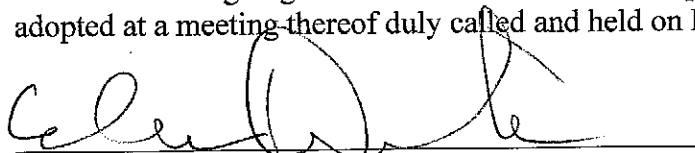
Moved by: Nicole Williams

Seconded by: Cheryl McCants

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT
Abdallah Chalet				X
Charyl McCants	X			
Oscar McKee	X			
Leamon McKenzie				X
Yudi Sobharam				X
Nicole Williams	X			
Robert DeMarino		X		

The foregoing resolution is a true and complete copy of a resolution of the Authority adopted at a meeting thereof duly called and held on December 2, 2014.



GLENN DOMENICK, SECRETARY