

O-20-39
07/15/20

AN ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AUTHORIZING THE LEASING OF PROPERTIES KNOWN AS PORTION OF BLOCK 393 LOT 18 & 19 AND AN UNIMPROVED PORTION OF 2ND STREET, ALL SUBJECT TO REDEVELOPMENT PLANS, TO BCP, LLC, THE CONTRACT REDEVELOPER PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (Digital Displays)

WHEREAS, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), a municipality may sell, convey or lease any of its property to a redeveloper for the purpose of clearance, re-planning, development and redevelopment of a redevelopment area provided that the sale, conveyance or lease is made in conjunction with a redevelopment plan; and

WHEREAS, Pursuant to the Redevelopment Law, the Municipal Council of the City of Bayonne (the “City Council”) adopted Resolution No. 98-02-04-040, designating the entire City of Bayonne (the “City”) as an area in need of rehabilitation in accordance with *N.J.S.A.* 40A:12A-14 (the “Rehabilitation Area”); and

WHEREAS, Pursuant to the Redevelopment Law, in August 2003 the City Council designated the property known as the Texaco site as an area in need of redevelopment (“Texaco Redevelopment Area”); and

WHEREAS, The City Council previously adopted and from time to time amended the Scattered Site Redevelopment Plan dated December 7, 2005, which Redevelopment Plan included Block 393, Lots 16-21 in the Rehabilitation Area (the “Scattered Site Redevelopment Plan”); and

WHEREAS, on July 17, 2019, the City Council adopted an Amended and Restated Scattered Site Redevelopment Plan for Block 393, Lots 19 & 20 for special development regulations for billboards, which is a portion of the gas station site known as Block 393, Lots 16-21 (the “Amended Scattered Site Redevelopment Plan”); and

WHEREAS, On October 21, 2015, the City Council adopted a Redevelopment Plan for the Texaco Redevelopment Area, which encompasses the unimproved portion of West 2nd Street east of Avenue A in the City of Bayonne (the “Texaco Redevelopment Plan”); and

WHEREAS, on June 19, 2019, the City Council adopted an amendment to the Texaco Redevelopment Plan for special development regulations for billboards and to include all of the proposed West 2nd Street within the Redevelopment Area (the “Amended Texaco Redevelopment Plan”); and

WHEREAS, The City is the owner of the unimproved portion of 2nd Street located in the Texaco Redevelopment Area and subject to the Texaco Redevelopment Plan (the “2nd Street Property”); and.

WHEREAS, The City is the owner of Block 393, Lots 19 & 20 in the City of Bayonne (the “52nd Street Property”) acquired from the New Jersey Turnpike Authority pursuant to a Memorandum of Agreement between the New Jersey Turnpike Authority and the City which is located in the Rehabilitation Area and subject to the Amended Scattered Site Redevelopment Plan.

WHEREAS, On July 17, 2019, the City adopted a resolution authorizing a redevelopment agreement (the “Redevelopment Agreement”) with BCP, LLC, the designated redeveloper for the redevelopment of the 2nd Street Property and the 52nd Street Property (the “Redeveloper”).

WHEREAS, The Redevelopment Agreement requires the Redeveloper to redevelop the 2nd Street Property and the 52nd Street Property in accordance with the Amended Scattered Site Redevelopment Plan and the Amended Texaco Redevelopment Plan, respectively (collectively, the “Redevelopment Plans”); and

WHEREAS, The Redeveloper and the City wish to enter into an agreement for the lease of Property contained in the Redevelopment areas; and

NOW THEREFORE, be it Ordained that the City Council of the City of Bayonne in accordance with the Redevelopment Law, hereby authorizes the leasing of the 2nd Street Property and 52nd Street Property to the Redeveloper for the purposes of redevelopment in accordance with the Redevelopment Agreement and the Redevelopment Plans.

Section 1. The Mayor and City Clerk are authorized to execute any and all documents necessary for the leasing of the 2nd Street Property and 52nd Street Property, in a form substantially consistent with the form of leases attached hereto, subject to the review and approval of such documents by the City’s legal counsel.

Section 2. This ordinance shall take effect upon final passage and publication as required by law.