

ORDINANCE NO. 24-08

ORDINANCE AMENDING ORDINANCE NO. 22-27 APPROVING THE APPLICATION AND FINANCIAL AGREEMENT FOR A LONG-TERM TAX EXEMPTION WITH EASTERN PACIFIC DEVELOPMENT, LLC WITH RESPECT TO PHASE II OF THE REDEVELOPMENT PROJECT - BLOCKS 175, 176, 180, 181, AND 182 ON THE CITY OF BRIDGETON'S OFFICIAL TAX MAP

WHEREAS, pursuant to Resolution Nos. 230-21, 70-22, and 203-22 adopted by the City Council of the City of Bridgeton (the "City") on October 5, 2021, April 5, 2022, and August 16, 2022 respectively, and pursuant to Resolution No. 196-23 adopted on September 19, 2023 Eastern Pacific Development a/k/a Eastern Pacific Development, LLC (the "Redeveloper") was designated as Conditional Redeveloper with respect to the following parcels on the City's official Tax Map (hereinafter referred to as the "Property"):

Block 173, Lots 5-21, 23-25, 33-40, 42, 44, 45, 47, 48, and 58
Block 174, Lots 1-7
Block 175, Lots 1, 2, and 6-20
Block 176, Lots 1-30
Block 177, Lots 1-12, 16, 17, and 24-30
Block 178, Lots 1-15
Block 179, Lots 1-16
Block 180, Lots 1-10, 12-14, and 19-22
Block 181, Lots 1-4, 22-26
Block 182, Lots 1-23
Block 183, Lots 5-14, 18, 22, 25, 26, 28-32, 34, 36, 44-48, and 51-53; and

WHEREAS, on August 7, 2007, the City Council adopted Resolution No. 52-07, which designated the entirety of the City as an area in need of rehabilitation (the "Rehabilitation Area") following the investigation and public hearing conducted by the City Planning Board (the "Planning Board") pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, on June 5, 2007, the City Council adopted Resolution No. 284-06, which designated several properties in the City as an area in need of redevelopment (commonly known as the "Phoenix Redevelopment Area") following the investigation and public hearing conducted by the Planning Board pursuant to the Redevelopment Law; and

WHEREAS, all of the Property is included in the Rehabilitation Area and mostly all of the Property is included in the Phoenix Redevelopment Area; and

WHEREAS, on February 19, 2008, the City Council adopted Ordinance No. 07-29 adopting a Redevelopment Plan for the Phoenix Redevelopment Area; and

WHEREAS, on April 5, 2022, the City Council adopted Resolution No. 71-22 directing the Planning Board to prepare a parcel specific Phoenix Redevelopment Plan Amendment for certain parcels in the Phoenix Redevelopment Area and Rehabilitation Area in connection with the redevelopment of the Property; and

WHEREAS, on July 27, 2022, the Planning Board adopted Resolution No. 22-03PB recommending that City Council adopt a Redevelopment Plan Amendment Phoenix Redevelopment Area prepared by Barbara J. Fegley, AICP, PP dated June 16, 2022 (the "Redevelopment Plan Amendment") to facilitate the redevelopment of the Property pursuant to the Redevelopment Law; and

WHEREAS, the Redeveloper submitted a proposal to construct approximately 150 affordable housing units and a 72-unit senior facility on the Property (the "Redevelopment Project"), which Redevelopment Project may be pursued in separate phases (each a "Phase" and collectively, the "Phases"); and

WHEREAS, in order to implement the development, financing and revitalization of the Property, the City has negotiated and executed a Redevelopment Agreement (and amendment thereto) with the Redeveloper (upon which Eastern Pacific Development, LLC became designated as the Redeveloper with regard to the Property), and its permitted assignee(s) (the "Redevelopment Agreement"), which Redevelopment Agreement specifies the rights and responsibilities of the City and Redeveloper, and its permitted assignee(s), with respect to the Redevelopment Project and provides for the negotiation of a Financial Agreement or Financial Agreements between the parties for the project improvements (each, a "Financial Agreement"). The subject Financial Agreement for Phase II of the Redevelopment Project (the "Phase II Financial Agreement") authorizes a long-term tax exemption pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "LTTEL"); and

WHEREAS, the City previously, through the adoption of Ordinance No. 22-27, authorized an application for long-term tax exemption for Phase II of the Redevelopment Project (the "Application") and a Financial Agreement for Phase II of the Redevelopment Project, which agreement was not executed; and

WHEREAS, a change of parcels in Phase II of the Redevelopment Project pursuant to the Amendment to Redevelopment Agreement between the City and Redeveloper dated January 19, 2024, necessitates an amendment to Ordinance No. 22-27 to reflect the change of the Phase II parcels; and

WHEREAS, pursuant to the aforesaid Amendment to Redevelopment Agreement, Phase II of the Redevelopment Project currently consists of Block 175, Lots 1, 2, and 6-18; Block 176, Lots 9-17; Block 180, Lots 19-22; Block 181, Lots 1, 4, and 22-26; and Block 182, Lots 1-7 and 20-23; and

WHEREAS, pursuant to the requirements of the LTTEL, the Redeveloper provided the City with the information required by Section 8 of the LTTEL in the form of an updated Application for long-term tax exemption for Phase II of the Redevelopment Project; and

WHEREAS, such information provided the City with the basis for determining to execute the Phase II Financial Agreement; and

WHEREAS, the City Business Administrator and City Council continue to find that the relevant benefits of the redevelopment of the Phase II properties outweigh the loss, if any, of property tax revenue in granting the long-term tax-exemption; and

WHEREAS, the City Council has determined that the assistance provided to the Redevelopment Project pursuant to the Financial Agreement is a significant inducement for the Redeveloper to proceed with the Redevelopment Project; and

WHEREAS, the City desires to execute the Phase II Financial Agreement with the Redeveloper, or its permitted assignee(s);

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Bridgeton that the Application for long-term tax exemption filed by Eastern Pacific Development, LLC for Phase II (Block 175, Lots 1, 2, and 6-18; Block 176, Lots 9-17; Block 180, Lots 19-22; Block 181, Lots 1, 4, and 22-26; and Block 182, Lots 1-7 and 20-23) of the Redevelopment Project is hereby granted; and

BE IT FURTHER ORDAINED by the City Council of the City of Bridgeton that the Phase II Financial Agreement with Eastern Pacific Development, LLC, or its permitted assignee(s), be hereby approved and the City Business Administrator and Municipal Clerk are authorized to execute the Phase II Financial Agreement and all necessary documents in support thereof on behalf of the City. The Phase II Financial Agreement shall be substantially on the form attached hereto as Exhibit A; and shall have a term of 30 years and the annual service charge shall be 6.25% per annum subject to other terms and conditions as set forth in the Phase II Financial Agreement; and


BE IT FURTHER ORDAINED, by the City Council of the City of Bridgeton that other Financial Agreements for the Redevelopment Project may be entered into with Eastern Pacific Development, LLC, or its permitted assignee(s), on additional Phase-by-Phase bases.

BE IT FURTHER ORDAINED, by the City Council of the City of Bridgeton that this Ordinance shall take effect in accordance with the law.

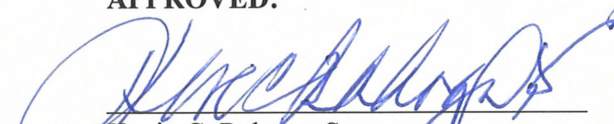
ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the 2nd day of April, 2024.

ATTEST:


Nichole Almanza, RMC, CMR
Municipal Clerk


J. Curtis Edwards, Acting Council President

APPROVED:


Kevin C. Rabago, Sr.,
Business Administrator

Introduced on First Reading	March 19, 2024
First Publication	March 22, 2024
Approved on Final Reading	April 2, 2024
Final Publication	April 5, 2024

Exhibit A

Form of Financial Agreement
(See Attached)

