

**CITY OF HACKENSACK
ORDINANCE NO. 11-2026**

**AN ORDINANCE OF THE CITY OF HACKENSACK IN THE COUNTY OF
BERGEN, NEW JERSEY, TO EXECUTE A FINANCIAL AGREEMENT BETWEEN
THE CITY AND K GROUP HACKENSACK VENTURE URBAN RENEWAL LLC IN
CONNECTION WITH REAL PROPERTY KNOWN AND DESIGNATED AS 15, 17
AND 21 HUYLER STREET, BLOCK 10719, LOTS 15, 16 AND 17, ALONG
WITH A PORTION OF LOT 1 ON THE OFFICIAL TAX MAP OF THE CITY OF
HACKENSACK, NEW JERSEY**

WHEREAS, the Mayor and Council of the City of Hackensack (the “Governing Body”) has determined that there is a need for an affordable housing project in the Township; and

WHEREAS, K Group Hackensack Venture Urban Renewal LLC (the “Developer”) is proposing to develop certain real property known and designated as Block 10719, Lots 15, 16 and 17 on the Official Tax Maps of the City of Hackensack, Bergen County and commonly located on 15, 17 and 21 Huyler Street, Hackensack, New Jersey (the “Property”); and

WHEREAS, the Developer proposes to construct an affordable housing project called Huyler Street Residences comprised of 54 units (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55: 14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-26.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the "HMFA Requirements"); and

WHEREAS, the City reviewed the Developer’s proposed project and has determined that it represents a beneficial use of the Property and that the development and construction of the Project would provide a substantial benefit to the local community; and

WHEREAS, the Developer is applying to the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”) for the 9% Low Income Housing Tax Credit (LIHTC) program; and

WHEREAS, in order to enhance the viability of and opportunity for a successful LIHTC application, the Developer submitted to the Mayor an application (hereinafter the “Application”), which is on file with the City Clerk, seeking a tax

exemption in connection with the Project pursuant to N.J.S.A. 52:27D-329.2, in exchange for which the Developer proposes to make payments to the City of Annual Service Charges in lieu of taxes; and

WHEREAS, said application contained detailed financial information regarding the anticipated costs and expenses to be incurred for the development and construction of the Project, the estimated revenues and operating expenses to be received from the Project once stabilized as well as all other documentation and information required; and

WHEREAS, specifically the Application requested a thirty (30) year term for the prescribed payment in lieu of taxes arrangement with the Developer to pay in place of ad valorem taxes an Annual Service Charge of 6.28%; and

WHEREAS, the information and documentation provided to the City by Developer has been thoroughly reviewed and analyzed by the City's professional financial consultants who have concluded that based on the information and documentation received that this long-term tax exemption arrangement is needed for the Project to come to fruition; and

WHEREAS, the Governing Body finds it to be in the public interest to support opportunities for the construction of affordable housing and desire to enter into a financial agreement in connection with the Project.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hackensack, Bergen County, State of New Jersey:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Governing Body understands and agrees that the revenue projections set forth in the Application are estimates and that the actual payments in lieu of taxes to be paid by the Developer to the municipality shall be determined pursuant to the Financial Agreement executed between the developer and Township.
3. The Governing Body hereby authorizes the Mayor to execute a Financial Agreement upon approval as to form and substance by the City's Affordable Housing Counsel.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such

adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the Project's receipt of an award of the 9% Low Income Housing Tax Credit from the New Jersey Housing and Mortgage Finance Agency and passage and publication in accordance with applicable law.

Introduced: June 16, 2026

Adopted: June 30, 2026

ATTEST:

CITY OF HACKENSACK

By: _____
Timothy J. Hoffman, Acting City Clerk

By: _____
Caseen Gaines, Mayor