

City of Passaic
Ordinance No. 2450-24

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE CITY OF PASSAIC, APPROPRIATING \$14,700,000 THEREFOR, INCLUDING A GRANT IN THE AGGREGATE AMOUNT OF \$10,000,000 FROM THE STATE DEPARTMENT OF COMMUNITY AFFAIRS, \$525,000 FROM THE CITY CAPITAL IMPROVEMENT FUND, AND \$475,000 FROM THE CITY RESERVE FUND FOR PARKING IMPROVEMENTS, AND AUTHORIZING THE ISSUANCE OF \$3,700,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASSAIC (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Passaic, a municipal corporation of the State of New Jersey (the "City") as a general improvement. For the improvements or purposes described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$14,700,000, including a grant from the State of New Jersey Department of Community Affairs in the amount of \$10,000,000, the sum of \$525,000 from the City's Capital Improvement Fund, and the sum of \$475,000 from the City's Reserve for Parking Improvements. No down payment is required pursuant to N.J.S.A. 40A:2-11(c).

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements or purposes hereby authorized for which bonds or notes are to be issued are for the planning, design, construction and outfitting of a new parking garage facility on Passaic Street in the City (as described in greater detail in the plans and specifications on file in the City offices), the purchase and installation of various equipment and fixtures relating to the operation of said parking garage facility, improvements and repairs to adjacent/nearby sidewalks and curbs, the purchase and installation of electric vehicle charging stations, and all work and materials necessary therefor or incidental thereto for all of the aforementioned items.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 20 years.

(c) An aggregate amount not exceeding \$1,500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City is increased by \$3,700,000 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 7. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be

obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The City reasonably expects to pay expenditures with respect to the improvements described in Section 3 hereof prior to the date that the City incurs debt obligations under this bond ordinance. The City reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the City under this Bond Ordinance. The maximum principal amount of obligations expected to be issued for payment of the costs of the Improvements is \$3,700,000.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

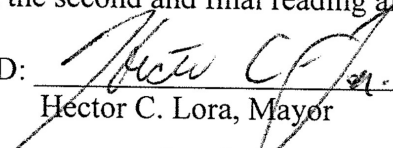
INTRODUCED BY COUNCILPERSON: Terrenace Love

SECONDED BY COUNCILPERSON: Maritza Colon - Montanez

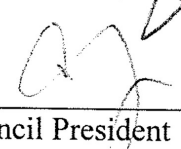
Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
GARCIA, J.	x			
LOVE, T.	x			
MELO, T.	x			
MUNK, C.	x			
COLON-MONTANEZ, M.	x			
SCHAER, G.	x			
SCHWARTZ, D.	x			

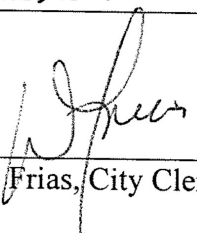
Adoption of first reading at a meeting of the Council of the City of Passaic, NJ on May 07, 2024

Adopted on the second and final reading after the hearing on May 21, 2024.

APPROVED: 
Hector C. Lora, Mayor

May 21, 2024
Date


Gary S. Schaer, Council President


Weatherly Frias, City Clerk

The foregoing is a true copy of a bond ordinance introduced and adopted on first reading by the governing body of the City on _____, 2024

Weatherly Frias, RMC