

**AN ORDINANCE TO APPROVE A COOPERATION AGREEMENT WITH  
THE HOUSING AUTHORITY OF THE CITY OF NEW BRUNSWICK**

**BE IT ORDAINED** by the New Brunswick City Council as follows:

**SECTION I**

City Council finds and determines as follows:

(A) Under the United States Housing Act of 1937, as amended, ("Act"), 42 U.S.C. § 1437 et. seq., the United States Department of Housing and Urban Development ("HUD") is responsible for administering low income housing programs, and pursuant to the Act, HUD has entered into an Annual Contributions ("ACC") with the Housing Authority of the City of New Brunswick to develop and operate public housing projects of the Housing Authority of the City of New Brunswick;

(B) The Authority and the Municipality have agreed that all of the properties owned by the Housing Authority within the Municipality shall be exempt from real estate taxation;

(C) The Authority shall endeavor to develop and administer such Project or Projects, each of which shall be located within the corporate limits of the Municipality. All Projects are exempt from all real and personal property taxes and special assessments levied or imposed by any Taxing Body;

(D) The Authority shall make annual payments (herein called "Payments in Lieu of Taxes" or PILOT) in lieu of taxes and special assessments and in payment for the public services and facilities furnished from time to time without other cost or charge for or with respect to such Project which shall be set forth in the Cooperation Agreement between the City and the Housing Authority of the City of New Brunswick;

(E) It is necessary that the City enter into a Cooperation Agreement with the Housing Authority of the City of New Brunswick to memorialize this PILOT;

**SECTION II**

**EXECUTION OF COOPERATION AGREEMENT AUTHORIZED**

(a) The Mayor, in consultation with legal counsel to the City, is hereby authorized and directed to execute the Cooperation Agreement, substantially in the form as it has been presented to the City Council, and attached hereto as **Exhibit A**, subject to additions, deletions, modifications, or revisions deemed necessary and appropriate in consultation with counsel, and any other agreements necessary to effectuate the Cooperation Agreement.

(b) The Clerk of the City is hereby authorized and directed, upon the execution of the Cooperation Agreement in accordance with the terms of Section II hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the City upon such document.

(c) The executed copy of the Cooperation Agreement shall be filed with the Office of the City Clerk.

**SECTION III**

**SEVERABILITY:**

If any section, part of any section, or clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this Ordinance, and each section and subsection thereof, irrespective of the fact that anyone or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

**SECTION IV**

**REPEALER:**


All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION V**

**EFFECTIVE DATE:**

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING  
DATED: *April 18*, 2018

  
\_\_\_\_\_  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING  
DATED: \_\_\_\_\_, 2018

\_\_\_\_\_  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

APPROVALS:

\_\_\_\_\_  
CITY ADMINISTRATOR

\_\_\_\_\_  
CITY ATTORNEY

TKS/kc

COUNCIL MEMBER	V	N	NV	AB	COUNCIL MEMBER	V	N	NV	AB
ANDERSON, VP	X				SICORA, LUDWIG				X
CLAY	X				FLEMING, PRES			X	
ESCOBAR	X								

FIRST READING VOTE ON APRIL 18, 2018 M=MOVED S=SECOND NV=NO VOTE AB=ABSENT