

Sponsor: \_\_\_\_\_

Second: \_\_\_\_\_

CITY OF HOBOKEN  
RESOLUTION NO. \_\_\_\_

**RESOLUTION DECLARING AN EMERGENCY PURSUANT TO N.J.S.A. 40:69A-181(B) AND MAKING IMMEDIATELY EFFECTIVE ORDINANCE NO. Z-139 ENTITLED "AN ORDINANCE AUTHORIZING THE CITY OF HOBOKEN TO ENTER INTO THE 'PARKING ACCESS AGREEMENT BETWEEN THE CITY OF HOBOKEN AND HUMC OPCO, LLC' ."**

**WHEREAS**, the City Council ("City Council") of the City of Hoboken ("City") introduced, on October 15, 2011, Ordinance No. Z-139, entitled "An Ordinance Authorizing the City of Hoboken to Enter into the 'Parking Access Agreement Between the City of Hoboken and HUMC OPCO, LLC'"; and

**WHEREAS**, said Ordinance was advertised for second reading, public hearing and final adoption on October 25, 2011; and

**WHEREAS**, said Ordinance proceeded to second reading, a public hearing on the Ordinance as amended and final adoption as an Ordinance on October 25, 2011; and

**WHEREAS**, without acknowledging any validity of demands or orders that the City take the action as authorized in said Ordinance by a date certain, the City desires to make said Ordinance effective immediately to forestall any claims or litigation that may ensue if the effective date of the Ordinance is delayed for the requisite 20 days after its adoption [in accordance with N.J.S.A. 40:69A-181(b)] and, therefore, the Council desires to declare an emergency pursuant to said statute cited above and make said Ordinance effective immediately in order to enhance the public good and public welfare.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hoboken, County of Hudson, State of New Jersey (*not less than two-thirds of all members thereof affirmatively concurring*) as follows:

1. In order to expedite the effective date of the Ordinance entitled "An Ordinance Authorizing the City of Hoboken to Enter into the 'Parking Access Agreement Between the City of Hoboken and HUMC OPCO, LLC' ", for the reasons set forth in the Preamble of this Resolution, the City Council hereby declares an emergency in accordance with N.J.S.A. 40:69A-181(b) and further determines and declares that said Ordinance be and the same is hereby effective immediately and not 20 days after its final passage by the City Council as otherwise required under N.J.S.A. 40:69A-181(b).
2. The City Clerk and all other municipal officers are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

<b>Councilperson</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>No Vote</b>
Theresa Castellano				
Peter Cunningham				
Jen Giattino				
Carol Marsh				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Ravi Bhalla				

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of a resolution adopted by the City Council of the City of Hoboken, County of Hudson, at a duly convened meeting held on October \_\_\_\_, 2011.

\_\_\_\_\_  
James J. Farina, City Clerk

Sponsored by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**City of Hoboken**  
**Resolution No.:**\_\_\_\_\_

**RESOLUTION AUTHORIZING AMENDMENTS TO THE 2000 AND 2010 PARKING ACCESS AGREEMENTS BETWEEN THE CITY OF HOBOKEN AND HOBOKEN MUNICIPAL HOSPITAL AUTHORITY**

**WHEREAS**, the Administration has been presented with an Amended Parking Access Agreement between the City and Hoboken Municipal Hospital Authority, involving to hospital related parking at the Midtown Garage; and,

**WHEREAS**, execution of the “Amended Parking Access Agreement” is essential to effectuate the sale of Hoboken University Medical Center (“HUMC”), which is vital to the fiscal health of the City of Hoboken and its taxpayers; and,

**WHEREAS**, the agreed upon amended terms are laid out in the Amended Parking Access Agreement, as provided by counsel, and the City Council is now called upon to approve and authorize execution of the Amended Parking Access Agreement between the City of Hoboken and Hoboken Municipal Hospital Authority.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Hoboken in the County of Hudson as follows:

1. The City Council hereby approves the Amended Parking Access Agreement, as provided by counsel; and,
2. The City Council hereby directs the Mayor and her Administration to notify all Parties of this approval immediately.
3. The Mayor, her Administration and Corporation Counsel are hereby authorized and directed to proceed to expeditiously execute and finalize the Amended Parking Access Agreement, as provided by counsel, or a substantially similar document without any substantive changes, and to take any other steps necessary to effectuate this Resolution.

**MEETING: October 30, 2011**

**REVIEWED:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Arch Liston  
Business Administrator

\_\_\_\_\_  
Mark A. Tabakin, Esq.  
Corporation Counsel

<b>Councilperson</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>No Vote</b>
Theresa Castellano				
Peter Cunningham				
Jen Giattino				
Carol Marsh				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Ravi Bhalla				

Sponsored by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**City of Hoboken**  
**Resolution No.:**\_\_\_\_\_

**RESOLUTION AUTHORIZING AND ACCEPTING ASSIGNMENT OF THE “PARKING ACCESS AGREEMENT” FROM HMHA AND HHI TO HUMC OPCO, LLC**

**WHEREAS**, the Administration has been presented with a request for assignment of the Parking Access Agreement of HHI to HUMC OPCO, LLC (“HUMCo”) of the Parking Access Agreement relating to the Midtown Garage; and,

**WHEREAS**, the execution of the authorization of assignment of the “Parking Access Agreement” is essential to effectuate the sale of Hoboken University Medical Center (“HUMC”), which is vital to the fiscal health of the City of Hoboken and its taxpayers; and,

**WHEREAS**, the agreed upon terms are laid out in the Amended Parking Access Agreement, and the City Council is now called upon to either accept or reject the assignment of the Agreement from HMHA and HHI to HUMC OPCO, LLC.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Hoboken in the County of Hudson as follows:

1. The City Council hereby accepts and authorizes the assignment of the Parking Access Agreement, as negotiated between the City as Grantor, HMHA and HHI as Assignor Grantees and HUMCo as Assignee Grantee; and,
2. The City Council hereby directs the Mayor and her Administration to notify all Parties of this acceptance immediately.
3. The Mayor, her Administration and Corporation Counsel are hereby authorized and directed to proceed to expeditiously execute and finalize any documents and to take any steps necessary to effectuate this Resolution.

**MEETING: October 30, 2011**

**REVIEWED:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Arch Liston  
Business Administrator

\_\_\_\_\_  
Mark A. Tabakin, Esq.  
Corporation Counsel

<b>Councilperson</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>No Vote</b>
Theresa Castellano				
Peter Cunningham				
Jen Giattino				
Carol Marsh				
Elizabeth Mason				
David Mello				
Tim Occhipinti				
Michael Russo				
President Ravi Bhalla				