

CITY OF ENGLEWOOD

Ordinance No. 17-09

AN ORDINANCE AMENDING ORDINANCE NO. 86-20 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD TO RESCIND THE DESIGNATION OF THE ENGLEWOOD ECONOMIC DEVELOPMENT CORPORATION AS DISTRICT MANAGEMENT CORPORATION, TO DESIGNATE THE ENGLEWOOD SID DISTRICT MANAGEMENT CORPORATION AS DISTRICT MANAGEMENT CORPORATION, AND TO AMEND SECTION 31-1 OF THE GENERAL CODE OF THE CITY OF ENGLEWOOD

WHEREAS, the City of Englewood heretofore adopted Ordinance No. 86-20 establishing a Special Improvement District ("SID") within the City of Englewood and designating the Englewood Economic Development Corporation ("EEDC") as the District Management Corporation for the SID; and

WHEREAS, Section 10 of Ordinance No. 86-20 allows the City Council to rescind the designation of a District Management Corporation or re-designate a District Management Corporation; and

WHEREAS, the City Council has determined that the current structure and organization of the EEDC no longer satisfies the original goals of the SID which is to promote economic growth and employment within the downtown business district, and to foster and encourage programs to enhance the local business; and

WHEREAS, the City Council finds that the best course of action for the SID, including the business and property owners located therein, is to designate a District Management Corporation with a Board of Trustees a major portion of which is elected by and comprised of the business owners and property owners located within the SID, and which is accountable to the elected officials and inhabitants of Englewood; and

WHEREAS, the City Council deems it in the best interests of the City to rescind the designation of the EEDC as the District Management Corporation for the SID and to designate the Englewood SID District Management Corporation as the District Management Corporation for the SID; and

WHEREAS, the City of Englewood heretofore adopted Ordinance No. 88-04, codified as Chapter 31 of the City's General Code, establishing a Code of Ethics for the City; and

WHEREAS, the City Council further deems it in the best interests of the City to amend Section 31-1 of the General Code to, clarify that Trustees and Employees of the District Management Corporation of the SID are subject to the City of Englewood's Code of Ethics.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Englewood, Bergen County, New Jersey pursuant to the provisions of *N.J.S.A. 40:56-65 et seq.* as follows:

1. The City Council hereby rescinds the designation of EEDC as the District Management Corporation of the Special Improvement District.

2. The EEDC shall immediately pay over and deliver to the City of Englewood all of its property, assets and funds received or maintained by the EEDC in its capacity as the District Management Corporation for the subject Special Improvement District.

3. The City Council hereby designates the Englewood SID District Management Corporation as the District Management Corporation of the Special Improvement District.

4. The definition of "City Agencies, Authorities, Board or Committees" in Section 31-1 of the City of Englewood's Code is revised as follows: "Any public body established or created by the City of Englewood and appointed either by the City Manager, Mayor or City Council, including, specifically, the Planning Board, Board of Adjustment, Board of Health, Board of Library Trustees, Housing Authority, and Board of Education, and the District Management Corporation of the Special Improvement District."

5. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

6. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjusted by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

7. This ordinance shall take effect immediately upon passage and publication as required by law.

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RECORD OF VOTE

FIRST READING DATE: June 27, 2017

COUNCIL	MOTION	VOTE
Cobb	X	Y
Cohen		Y
Forman		Y
Hamer		Y
Skurnick		Y

DATE PUBLISHED IN THE RECORD: July 3, 2017

DATES PUBLIC HEARINGS HELD: July 11, 2017

DATE SECOND READING HELD: July 11, 2017

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Cobb	X	Y	X	Y	X	Y
Cohen		Y		Y		Y
Forman		Y		Y		Y
Hamer		AB		AB		AB
Skurnick		Y		Y		Y

Y=YES N=OPPOSED A=ABSTAINED AB=ABSENT

PRESENTED TO MAYOR: July 12, 2017

APPROVED _____

REJECTED _____ (VETO)

MAYOR FRANK HUTTLE III

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

Yancy Wazirmas, RMC
City Clerk