



AGENDA

**BOARD OF COMMISSIONERS – SPECIAL MEETING
APRIL 12, 2023 – 4:00 pm**

Public Statement: This meeting is being called pursuant to the Open Public Meetings Act, Chapter 113; adequate notice of this meeting has been provided to the Star Ledger, Jersey Journal and to the public at large; establishing the date, time and location of this meeting by filing with the Office of the City Clerk the schedule of regular meetings.

Pledge of Allegiance

Attendance – Roll Call

Action Items:

Agenda Adoption

RESOLUTIONS

RESOLUTION #04-2013-21 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ACCEPTING THE QUALIFICATIONS OF CERTAIN ENTITIES TO PERFORM MUNICIPAL UNDERWRITER SERVICES.

Executive Session

Resolution #04-2022 –

Adjournment:

**MINUTES OF THE SPECIAL MEETING OF
BOARD OF COMMISSIONERS OF THE
PARKING AUTHORITY OF THE CITY OF NEWARK**

April 12, 2023

4:00PM

PUBLIC STATEMENT: THIS VIRTUAL MEETING IS CALLED PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, CHAPTER 113; ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED TO THE STAR LEDGER AND TO THE PUBLIC AT LARGE; ESTABLISHING THE DATE, TIME AND LOCATION OF THIS MEETING BY FILING WITH THE OFFICE OF THE CITY CLERK THE SCHEDULE OF REGULAR MEETINGS.

The pledge of allegiance was recited.

Roll Call as follows:

Present: Chairperson Evelyn Williams
Vice-Chair Tarsha Prindle-Hartley
Treasurer Andre Speight
Secretary Marques Lewis

Absent: Commissioner Andre Hollis

Others Present: Executive Director, Anthony C. Mack, Esq.
C. Lawrence Crump, Esq., General Counsel
Sr. Executive Asst., Merian Williams
Gabriela Santos, Fiscal Manager
Eric Torain, Financial Advisor

Chair Williams noted that there was a quorum present and the Board is in accord with State Statute and the meeting could now commence.

Motion to approve the agenda by Vice-Chair Prindle-Hartley, seconded by Chair Williams and approved by unanimous consent.

RESOLUTION #04-2013-21 OF THE BOARD OF COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ACCEPTING THE QUALIFICATIONS OF CERTAIN ENTITIES TO PERFORM MUNICIPAL UNDERWRITER SERVICES. Motion to approve by Vice Chair Prindle-Hartley , seconded by Chair Williams.

NO DISCUSSION

ROLL CALL:

Vice-Chair Prindle Hartley	YES
Secretary Lewis	YES
Treasurer Speight	YES
Chair Williams	YES

There being no further business, the meeting adjourned at on motion of Chair Williams, seconded by Commissioner Lewis, and approved by unanimous consent

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NO DISCUSSION

ROLL CALL:

Vice-Chair Prindle Hartley	YES
Secretary Lewis	YES
Treasurer Speight	YES
Chair Williams	YES

There being no further business, the meeting adjourned at on motion of Chair Williams, seconded by Commissioner Lewis, and approved by unanimous consent

**RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF
NEWARK ACCEPTING THE QUALIFICATIONS OF CERTAIN
ENTITIES TO PERFORM MUNICIPAL UNDERWRITER SERVICES**

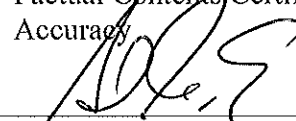
Resolution #04-2023-21

ADOPTED: April 12, 2023

Approved as to form and
Legality on basis of Facts


C. Lawrence Crump, Esq.

Factual Contents Certified As to
Accuracy


Anthony Mack, Esq.

WHEREAS, a regular meeting of the Parking Authority of the City of Newark (the "Authority") was held on April __, 2023; and

WHEREAS, the Authority has determined that it is necessary, convenient, and desirable to achieve its purposes to contract for municipal underwriter services in connection with its projects and project financings; and

WHEREAS, N.J.S.A. 40:11A-6(l) of the Parking Authority Law, N.J.S.A. 40:11A-1 et seq., permits the Authority to enter into agreements for professional services, subject to the requirements of the Local Public Contracts Law; and

WHEREAS, the New Jersey Election Law, specifically N.J.S.A. 19:44A-20.5, permits, but does not require, a contract with an anticipated value in excess of \$17,500, to be awarded through a "fair and open" process; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" and "Extraordinary Unspecifiable Services" without public advertising for bids and bidding therefor shall set forth the reasons for its action in the resolution, a brief notice stating the nature, duration, service and amount of the contract, and the contract and agreement itself must be on file and available for public inspection; and

WHEREAS, the Authority has publicly advertised for municipal underwriter services, in the form of a request for qualifications, either in an authorized newspaper of the Authority or on the website of the Authority in sufficient time to give notice in advance of the Authority's consideration of the entities' qualifications and award of the contract; and

WHEREAS, the contracts for municipal underwriter services will be awarded under a process that provides for public solicitation of qualifications and pursuant to disclosed criteria established in writing by the Authority prior to the solicitation of qualifications, and publicly opened and announced when awarded; and

WHEREAS, the Authority has publicly opened the responses to the published request for qualifications, is publicly accepting the qualifications of entities to perform municipal

underwriter services, and will publicly award subsequent contracts for municipal underwriter services; and

WHEREAS, the Authority has determined that the process it has used to consider the qualifications of entities providing municipal underwriter services and the award of any subsequent contract for municipal underwriter services is a "fair and open" process, pursuant to N.J.S.A. 19:44A-20.7; and

WHEREAS, the Authority has considered the responses it has received to its request for qualifications for municipal underwriter services; and

WHEREAS, the Authority desires to accept the qualifications of certain entities, based on the aforementioned responses to the request for qualifications.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE PARKING AUTHORITY OF THE CITY OF NEWARK, AS FOLLOWS:

1. The Authority hereby accepts the qualifications of the following entities to perform municipal underwriter services for the Authority:

Baird
Loop Capital Markets LLC
NW Capital Markets Inc.
Stern Brothers & Company
Siebert, Williams, Shank & Co., LLC
Stifel

2. The Authority will specify the tasks and services to be performed by the qualified entity or entities through subsequent resolution, as needed, and in accordance with a written agreement for professional services.

3. Any agreement for municipal underwriter services entered into with one or more of the entities listed in Section 1 above will be awarded without competitive bidding as a "Professional Service" and/or an "Extraordinary Unspecifiable Services" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training or specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor.

4. The Authority has determined that the process it has used to solicit proposals for municipal underwriter services, to qualify entities for municipal underwriter services, and to enter into contracts to provide for municipal underwriter services is a "fair and open" process, pursuant to N.J.S.A. 19:44A-20.7.

Commissioner

Seconded the Motion

X - Indicates Vote AB – Absent NV – Not Voting
Board of Commissioners Vote of Final Passage

**RESOLUTION OF THE PARKING AUTHORITY OF THE
CITY OF NEWARK ACCEPTING THE QUALIFICATIONS OF
CERTAIN ENTITIES TO PERFORM MUNICIPAL
UNDERWRITER SERVICES**

Commissioners AYE NAY NV AB Commissioners AYE NAY NV AB

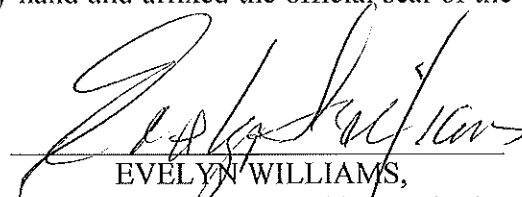
Evelyn Williams, Chairperson					Andre Hollis				
Tarsha Prindle, Vice Chairperson									
Andre Speight, Treasurer									
Marques-Aquil Lewis, Secretary									

CERTIFICATION

I, EVELYN WILLIAMS, the Chairperson of the Parking Authority of the City of Newark, in the County of Essex, New Jersey (the "Authority"), DO HEREBY CERTIFY that the above resolution entitled "RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF NEWARK ACCEPTING THE QUALIFICATIONS OF CERTAIN ENTITIES TO PERFORM MUNICIPAL UNDERWRITER SERVICES" (the "Resolution") was duly adopted by the Authority at a special meeting of the Authority held on April __, 2023 duly called and held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended and supplemented, at which meeting a quorum was present and acting throughout, and that said Resolution is a true and correct copy thereof and of the whole appearing in the books and records of the Authority as of the date hereof and has not been amended, repealed or revoked but remains in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have set my hand and affixed the official seal of the Authority this 12 day of April, 2023.

(SEAL)



EVELYN WILLIAMS,
Chairperson of the Parking Authority
of the City of Newark