SUMMARY STATEMENT

ITEM NO.: DRPA-20-047

SUBJECT: Purchase from the CRA Block 139.02, Lot 1.02 located on the Southeast corner of Delaware Avenue and Federal Street, Camden, NJ

COMMITTEE: Finance

COMMITTEE MEETING DATE: March 4, 2020

BOARD ACTION DATE: April 15, 2020

PROPOSAL: The Board authorizes DRPA staff to negotiate with Camden Redevelopment Authority (CRA) the material business terms and conditions with regard to the purchase of property located on the Southeast corner of Federal Street and Delaware Avenue. It currently is subject to an easement for the walkway between the OPC parking lot and Delaware Avenue. The purchase price for sale shall be not more than the appraised value of this real estate, consistent with the fair market value of the property as determined by a Certified Appraiser.

PURPOSE: The acquisition of this property is essential to comply with BPU requirements for single location generation and use of solar power. This property is currently encumbered by an easement benefiting the DRPA providing for a concrete walkway from the OPC parking lot to Delaware Avenue. Its ownership by the CRA is an impediment to the Board of Public Utilities requirement for contiguity between properties which generate solar power and which use the solar power thus generated.

BACKGROUND: Over the last two decades the small parcel of land between the OPC parking lot and OPC building has been owned by the CRA and traversed by OPC employees and tenants to gain access to OPC building. An easement previously provided by the CRA has allowed for the construction of a concrete walkway across this land and maintenance of shrubbery and gardens on it for the benefit of the DRPA.

There is currently a plan to construct a solar power generating facility on the OPC parking lot. The power generated by the solar panels shall be transmitted to the OPC building by virtue of a 5 inch conduit. However, the BPU has ruled that Regulations for the transmission of
solar power require that the location of the solar panels and the location of the beneficiary of the power generated be on the same physical property. Inasmuch as the property owned by the CRA lies in between the OPC parking lot and the OPC building, State Regulations prohibit the transmittal of the solar energy captured at the parking lot to the office building. The Regulations allow for property intersected by a public roadway to be considered contiguous and thus eligible for the generation of solar energy on one block and lot to be utilized in a building on a different block and lot with commonality of ownership. These two properties though titled to the same owner (DRPA) are not contiguous. The acquisition of this small parcel of land on the Southeast corner of Delaware and Federal is essential for compliance with the State Regulations as enforced by the BPU.

**SUMMARY:**

| Amount:     | TBD |
| Source of Funds: | TBD |
| Capital Project #: | TBD |
| Operating Budget: | No |
| Master Plan Status: | N/A |
| Other Fund Sources: | N/A |
| Duration of Contract: | Permanent |
| Other Parties Involved: | CRA |
| Estimated Number of Jobs Supported: | N/A |
RESOLUTION

RESOLVED: That the Board of Commissioners of the Delaware River Port Authority authorize staff to negotiate with the CRA the material business terms and conditions of an Agreement to purchase real estate Block 139.02, Lot 1.02 (Southeast Corner of Delaware Avenue and Federal Street) for an amount not to exceed fair market value as determined by a Certified Appraisal; and be it further

RESOLVED: The Chairman, Vice Chairman and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA. If such agreements, contracts, or other documents have been approved by the Chairman, Vice Chairman and Chief Executive Officer and if thereafter either the Chairman or Vice Chairman is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chairman and Vice Chairman are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of DRPA.

SUMMARY:

- Amount: TBD
- Source of Funds: TBD
- Capital Project #: TBD
- Operating Budget: No
- Master Plan Status: N/A
- Other Fund Sources: N/A
- Duration of Contract: Permanent
- Other Parties Involved: CRA
- Estimated Number of Jobs Supported: N/A