



Legislation Text

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Res. No. 547

Resolution defining the area known as the Hudson Yards Financing District and related matters in support of the Hudson Yards infrastructure projects and amending Exhibit 1 (attached to this Resolution as Appendix 1) of the Agreement between the Mayor and the Council to spend payments in lieu of taxes only for the purposes and on the projects or items listed on Exhibit 1 to such Agreement, pursuant to Local Law 73 of 2005.

By The Speaker (Council Member Quinn) and Council Members Weprin, Liu, Katz, Comrie, Gentile, Gonzalez, Sears and Gerson

Whereas, The Council and the Administration previously have stated their agreement supporting the redevelopment of the Hudson Yards; and

Whereas, The Council adopted Resolution No. 760 on January 19, 2005 in support and approval of the proposed financing of Hudson Yards infrastructure projects by the Hudson Yards Infrastructure Corporation, and the related provision of certain support by the City on a subject to appropriation basis and support, pursuant to specified conditions, by the New York City Transitional Finance Authority; and

Whereas, The Council has been advised by the Administration that such financing would be better supported if the definition of the Hudson Yards Redevelopment Area for purposes of Resolution Nos. 760 and Item 1 of the Agreement entered into pursuant to Local Law 73 of 2005 and approved by Resolution No. 1214 ("Item 1 of the PILOT Agreement") were amended to include certain additional areas of the Hudson Yards that are expected to see new development as a result of the Hudson Yards infrastructure projects or the overall redevelopment of the Hudson Yards area so that PILOTs collected from development in these areas can be used to support the financing and bond proceeds also can be used for projects relating to these additional areas as specified below; and

Whereas, The Hudson Yards infrastructure projects to be financed by HYIC have changed since the

adoption of Resolution No. 760 to exclude the building of a platform (the “ERY Platform”) over the Eastern Rail Yards and include the purchase from the Metropolitan Transportation Authority (the “MTA”) of certain transferable development rights (“TDRs”) in respect of the Eastern Rail Yard and the costs of engineering and planning studies (“ERY/WRY Planning”) for development of the MTA’s Eastern Rail Yard, bounded by 10th and 11th Avenues and 30th and 33rd Streets, and the MTA’s Western Rail Yard, bounded by 11th and 12th Avenues and 30th and 33rd Streets; and

Whereas, The HYIC indebtedness will be repayable from the revenue sources described in Resolution No. 760 as amended by this Resolution, except that it shall not be repayable from the sale of development rights on the Eastern Rail Yards other than the sale of HYIC’s interest in the TDRs; now, therefore be it

Resolved, That the Council of the City of New York hereby:

- (i) Determines that for purposes of Resolution Nos. 760 and 1214 (including Item 1 of the PILOT Agreement), all references to the term “Hudson Yards Redevelopment Area” are deleted and replaced with “Hudson Yards Financing District”, which shall be defined as that area in the borough of Manhattan beginning at the intersection of 43rd Street and 8th Avenue, continuing southerly along Eighth Avenue to the intersection of 39th Street and 8th Avenue, continuing westerly along 39th Street to a point 150 feet westerly of the intersection of 39th Street and 8th Avenue, continuing from that point southerly along that line to the intersection of that line and 35th Street, continuing easterly along 35th Street to the intersection of 8th Avenue and 35th Street, continuing southerly along 8th Avenue to the intersection of 33rd Street and 8th Avenue, continuing easterly along 33rd Second Street to the intersection of 7th Avenue and 33rd Street, continuing southerly along 7th Avenue to the intersection of 31st Street and 7th Avenue, continuing westerly along 31st Street to the intersection of 9th Avenue and 31st Street, continuing southerly along 9th Avenue to the intersection of 30th Street and 9th Avenue, continuing westerly along 30th

Street to intersection of 11th Avenue and 30th Street, continuing southerly along 11th Avenue to the intersection of 29th Street and 11th Avenue, continuing westerly along 29th Street to the intersection 12th Avenue and 29th Street, then continuing northerly along 12th Avenue to the intersection of 34th Street and 12th Avenue, continuing easterly along 34th Street to the intersection of 11th Avenue and 34th Street, continuing northerly along 11th Avenue to the intersection of 41st Street and 11th Avenue, continuing westerly along 41st Street to the intersection of 12th Avenue and 41st Street, continuing Northerly along 12th Avenue to the intersection of 43rd Street and 12th Avenue, continuing easterly along 43rd Street to the intersection of 43rd Street and 10th Avenue, continuing southerly along 10th Avenue to the intersection of 10th Avenue and 42nd Street, continuing easterly along 42nd street to a point 250 feet westerly from the intersection of 42nd Street and 8th Avenue, continuing northerly from that point 100 feet, then continuing westerly 50 feet, then continuing northerly from that point to the intersection of 43rd Street, continuing easterly along 43rd Street to the point of beginning;

- (ii) Amends the definition of Hudson Yards infrastructure projects set forth in Resolution No. 760 and incorporated by reference in Item 1 of the PILOT Agreement to exclude the building of the ERY Platform and include the purchase from the MTA of Eastern Rail Yard TDRs and ERY/WRY Planning;
- (iii) Without limiting any of the terms of Resolution No. 760, supports and approves the use of PILOTs paid on account of development in the Hudson Yards Financing District to repay indebtedness incurred by HYIC to finance the Hudson Yards infrastructure projects, so long as such indebtedness remains outstanding, and to pay the related costs of HYIC and the Hudson Yards Development Corporation, and after such indebtedness is no longer outstanding such PILOTs shall be paid to the City. Such expenditure of PILOTs shall

include the assignment, including the assignment and sale of the contract right to receive the payments of PILOTs, to a trustee to repay bonds issued by HYIC to fund Hudson Yards infrastructure projects. For purposes of this resolution, “PILOTs” shall mean, with respect to real property within the Hudson Yards Financing District, all payments that are due with respect to a project pursuant to actions of any governmental entity whose ownership of real property exempts such real property from real property taxes when such payments are made in lieu of real property taxes which would have been levied by or on behalf of the City if the project were not thereby exempted from the payment of such taxes, including PILOTs paid in respect of development of the MTA’s John D. Caemmerer West Side Storage Yard (“MTA PILOTs”) and PILOTs paid in respect of development of the Convention Center Development Corporation’s property bounded by West 33rd and 34th Streets and 11th and 12th Avenues (“CCDC PILOTs”)

- (iv) Attaches hereto an amended Item 1 of Exhibit 1 of the PILOT Agreement, which, pursuant to such agreement and Local Law 73 for the year 2005 will take effect and be deemed to amend such PILOT Agreement upon adoption of this resolution by the Council and approval of such amended Item 1 by the Mayor.

Appendix 1

Item 1 of Exhibit 1

1. Hudson Yards Infrastructure Project: Pursuant to Preconsidered Res. No. 760 adopted by the Council on January 19, 2005 (“Resolution No. 760”), PILOTs paid on account of development in the Hudson Yards [Redevelopment Area] Financing District may be spent on Hudson Yards infrastructure projects as defined in Resolution No. 760 and amended by Preconsidered Res. No. 547 adopted by the Council on October 11, 2006, and the related costs of the Hudson Yards Infrastructure Corporation (“HYIC”) and the Hudson Yards Development Corporation. Such expenditure of PILOTs shall include the assignment, including the assignment and sale of the contract right to receive the payments of PILOTs, to a trustee to repay bonds issued by HYIC to fund Hudson Yards infrastructure projects.

