

Staff: Tanisha Edwards, Chief Counsel,
Finance Division

Ralph Hernandez, Principal Legislative
Financial Analyst, Finance Division



THE COUNCIL

REPORT OF THE FINANCE DIVISION

PRESTON NIBLACK, DIRECTOR

JEFF RODUS, FIRST DEPUTY DIRECTOR

COMMITTEE ON FINANCE

Hon. DOMENIC M. RECCHIA, JR., Chair
December 10, 2012

PROP. RES. 1587-A

By Council Member Recchia, Jr.

TITLE:

Resolution concerning the increase in the annual expenditure for the Fifth Avenue Association, Bryant Park, Downtown-Lower Manhattan, Kings Highway, 47th Street, North Flatbush Avenue and Madison/23rd/Flatiron/Chelsea Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

ANALYSIS

This resolution sets a date for a public hearing pursuant to requests from seven Business Improvement Districts (BIDs) to increase their annual expenditures effective as of July 1, 2013. December 18, 2012 is the scheduled date in the City Hall Committee Room in New York, NY, and 10 a.m. is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation, which would increase the amount to be expended annually in the seven BIDs.

Pursuant to Section 25-410(b) of the Administrative Code, a BID may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID or improvements, services, maintenance and operation) by means of the adoption of a local law amending the BID's district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount, and that the tax and debt limits prescribed in section 25-412 of the Administrative Code will not be exceeded. Notice of the hearing on this local law must be published in at least one newspaper having general circulation in the district specifying the date, time and place where the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

Although this is the only relevant legal requirement for the provision of notice, in the case of other recent requests for budget increases by BIDs, the Finance Committee Chair informed the Department of Small Business Services that he desires written notices of the proposed increases and the hearing date to be mailed to property owners within the BIDs, and has only considered budget increases for those BIDs providing such additional notice. The Chair has requested that the same procedure be followed with regard to the increase that is the subject of this resolution.

The following BIDs have requested an assessment increase for Fiscal Year 2013:

BID ASSESSMENT INCREASE REQUESTS
FISCAL YEAR 2013

BID Name	Year Est.	Last Assessment Increase	Present Assessment	Requested Assessment	CM District	Purpose of Assessment Increase
Alliance for Downtown NY	1995	FY06 \$1,750,000	\$13,000,000	\$15,900,000 (\$2.9M increase or 22.3%)	Chin	Expanded outreach through a new website, mobile app, social media and printed materials, additional computer equipment; and hire a landscape architect to develop a district-wide planting plan.
Bryant Park	1986	FY94 \$100,000	\$900,000	\$1,100,000 (\$200K increase or 22.2%)	Quinn	Hire new staff in design, horticulture, and park programs; enhance park lighting project and repairs to bluestone pathway; added maintenance costs for the Carousel including the replacement of the canopy; new electric charges for Citi Pond ; increases in payroll and payroll-related costs.
5 th Avenue	1993	FY11 \$153,720	\$2,715,720	\$2,905,000 (\$190K increase or 6.9%)	Quinn & Garodnick	Added supplies and office expenses, and increase in uniform cost; and increases in real estate taxes, rent, and payroll-related costs.
47 th Street	1997	FY09 \$168,633	\$500,000	\$700,000 (\$200K increase or 40%)	Quinn	Hire two additional public safety officers, and maintain security cameras; strengthen the supervision and management of sanitation services; hire a public relations consultant; and administrative costs.
Flatiron	2006	None	\$1,600,000	\$2,200,000 (\$600K increase or	Quinn	Enhance sanitation services; and increases in payroll, insurance costs and taxes.

				37.5%)		
Kings Highway	1990	FY06 \$50,000	\$250,000	\$290,000 (\$40K increase or 16%)	Nelson	Purchase new trash receptacles; install new lighting; and replace park benches.
North Flatbush	1986	FY07 \$22,000	\$115,000	\$200,000 (\$85K increase or 73.9%)	Levin & James	Increase in sanitation services; street scape, and increases in payroll, insurance, rent and printing costs.

FF = Per frontage foot, the length of the property facing the street

AV = Assessed Value, the assessed value is then multiplied by the given rate

SF = Square Foot, the square feet is then multiplied by the given rate

Proposed Res. No. 1587-A

Resolution concerning the increase in the annual expenditure for the Fifth Avenue Association, Bryant Park, Downtown-Lower Manhattan, Kings Highway, 47th Street, North Flatbush Avenue and Madison/23rd/Flatiron/Chelsea Business Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

By Council Member Recchia, Jr.

Whereas, pursuant to Chapter 4 of Title 25 of the Administrative Code of the City of New York or the predecessor of such Chapter (the "BID Law"), the City established the Fifth Avenue Association, Bryant Park, Downtown-Lower Manhattan, Kings Highway, 47th Street, North Flatbush Avenue and Madison/23rd/Flatiron/Chelsea Business Improvement Districts in the City of New York; and

Whereas, pursuant to Local Law No. 82 for the year of 1990, the City Council assumed responsibility for adopting legislation relating to Business Improvement Districts; and

Whereas, pursuant to Section 25-410(b) of the BID Law, an increase in the amount to be expended annually may be adopted by local law, provided that the City Council determines, after a public hearing, that it is in the public interest to authorize the increase and that the tax and debt limits prescribed in Section 25-412 of the BID Law will not be exceeded; and

Whereas, the seven Business Improvement Districts wish to increase the amount to be expended annually beginning on July 1, 2012 as follows: Fifth Avenue Association, \$2,905,000; Bryant Park, \$1,100,000; Downtown-Lower Manhattan, \$15,900,000; Kings Highway, \$290,000; 47th Street, \$700,000; North Flatbush Avenue, \$200,000; and Madison/23rd/Flatiron/Chelsea, \$2,200,000; and

Whereas, pursuant to Section 25-410(b) of the BID Law, the City Council is required to give notice of the public hearing by publication of a notice in at least one newspaper having

general circulation in the districts specifying the time when and the place where the hearing will be held and stating the proposed amount to be expended annually; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-410(b) of the BID Law, hereby directs that:

(i) December 18, 2012 is the date, and the City Hall Room Committee Room in Manhattan is the place, and 10 AM is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation, which would increase the amount to be expended annually in the seven Business Improvement Districts; and

(ii) On behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the District Management Associations of the Fifth Avenue Association, Bryant Park, Downtown-Lower Manhattan, Kings Highway, 47th Street, North Flatbush Avenue and Madison/23rd/Flatiron/Chelsea Business Improvement Districts are hereby authorized to publish in a newspaper of general circulation in each district, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and setting forth the increase in the amount to be expended annually in each of the seven Business Improvement Districts.

