

AMENDED DISTRICT PLAN

for the

DOWNTOWN JAMAICA

BUSINESS IMPROVEMENT DISTRICT

(ALSO KNOWN AS THE SUTPHIN BOULEVARD BUSINESS
IMPROVEMENT DISTRICT)

in

THE CITY OF NEW YORK

BOROUGH OF QUEENS

PREPARED PURSUANT TO SECTION 25-405(a) OF
CHAPTER 4 OF TITLE 25 OF THE ADMINISTRATIVE
CODE OF THE CITY OF NEW YORK

November 2021

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I. DISTRICT BOUNDARIES

The Downtown Jamaica Business Improvement District, also known as the Sutphin Boulevard Business Improvement District (hereinafter the "District"), is located in southeastern Queens and serves as a key regional business district and economic hub for the borough. Downtown Jamaica is home to a variety of civic, cultural, and transportation networks, and serves as a gateway to New York City. The commercial district that makes up "Downtown Jamaica" is generally considered to be Jamaica Avenue, Sutphin Boulevard, and 165th Street commercial corridors, bounded by the Van Wyck Expressway to the west, Hillside Avenue to the north, 188th Street to the east, and Liberty Avenue to the south.

The Sutphin Boulevard Business Improvement District was established in 2003 pursuant to Article 19-A of the New York State General Municipal Law and Title 25 of the New York City Administrative Code (the "Law"). This Amended District Plan (hereinafter, the "Amended District Plan"), modifies, amends and replaces the previous district plan in its entirety for the District. This Amended District Plan also expands the District's boundaries to include the areas previously encompassed by two Special Assessment Districts – the 165th Street Mall and the Jamaica Avenue Mall – that will be dissolved simultaneously with the expansion of the District's boundaries. This Amended District Plan is created to replace the previous district plan as the enabling document for the BID authorizing the development and implementation of services provided, and detailing the mechanism by which the BID and the District Management Association are to be funded.

The District boundaries are as follows:

- Sutphin Boulevard, from the north side of 94th Avenue up to the south side of Hillside Avenue
- Jamaica Avenue, from Sutphin Boulevard up to the east side of 169th Street
- Union Hall Street from the north side of Archer Avenue up to Jamaica Avenue
- 165th Street from Jamaica Avenue up to the north side of 89th Avenue (known colloquially as the 165th Street Mall).

The precise boundaries and properties within the District are illustrated on the maps in Exhibit A and indicated in the table of benefited properties in Exhibit C, respectively.

The Mayor of the City of New York, by written authorization dated November 17, 2021 a copy of which is annexed hereto as Exhibit B, has provided for the preparation of this plan pursuant to authority granted by the Law.

II. DISTRICT PROFILE AND PRESENT USES OF THE DISTRICT PROPERTY

A. DISTRICT PROFILE

One of New York City's premier business districts, Downtown Jamaica is the economic and cultural hub of the borough and inter-modal transportation hub. This commercial destination boasts three performing arts centers, dozens of landmarked structures, an 11-acre park, two colleges, a major transportation hub, hundreds of independent businesses, and several national retailers.

Development of Jamaica began in the early 20th century, with the extension of the elevated transit lines and completion of the Long Island Rail Road's Jamaica station. Between 1920 and 1940, Downtown Jamaica's commercial real estate significantly expanded to support the growing residential population. Neighborhood fixtures included prominent department stores Gertz, Macy's, and May's; the first modern supermarket, King Kullen; and Loew's Valencia Theatre.

The neighborhood remains home to many historically significant buildings: King Manor, a historic house museum that focuses on the role of Rufus King (a signer of the U.S. Constitution) and his sons as national figures in the early anti-slavery movement; the First Reformed Church of Jamaica, initially erected in 1715, rebuilt in 1862, and enlarged in 1902; the Grace Episcopal Church, which was completed in 1862 and enlarged in 1901-1902; and the Jamaica Avenue Sidewalk Clock which was originally built in 1900 at 161-11 Jamaica Avenue, designated a New York City landmark in 1981, and moved to the intersection of Jamaica Avenue and Union Hall Street in 1989.

Today, Downtown Jamaica is a major transportation hub with 560,000 people passing through daily. This includes, four subway lines, 48 bus lines (including 10 Long Island bus lines), the Long Island Railroad, and the AirTrain JFK which connects the district to the rest of New York City, Long Island, John F. Kennedy International Airport, and beyond.

Since 2000, Downtown Jamaica has been the focus of significant public investment. Major investments include the \$350 million AirTrain terminal; an extensive rezoning effort; and more

recently, a \$153 million commitment from the City of New York through the Jamaica Now! Action Plan to support equitable growth in Downtown Jamaica. Currently there is more than \$1 billion of private investment, resulting in more than 4,800 new apartments, 2,400 hotel rooms, and 500,000 square feet of commercial space completed and pending. Most recently, Downtown Jamaica received \$10 million in Downtown Revitalization Initiative funding from New York State which in part aims to prepare the local workforce for sustainable careers and make investments to draw residents and visitors.

The 165th Street Mall and Jamaica Avenue Mall were designated Special Assessment Districts (SADs) by State legislation in 1977 and 1979, respectively. The purpose was to create pedestrian-friendly shopping streets, entirely closed to vehicular traffic at specified times in the case of 165th Street, and expanding sidewalks and removal of elevated rail line in the case of the Jamaica Mall. Physical improvements provided by the City were street and sidewalk repavings, installation of new storm drains and water mains, bollards and directional signage; informational directories; curbs were eliminated on 165th Street to encourage pedestrian use of the entire street width. Both 165th Street and Jamaica Avenue Mall (the term no longer in common usage) pedestrian malls were conceived at a time when pedestrian malls were being pushed by planners and city officials as a means to address the urban crisis of the 1960s and 1970s. Many of these malls failed and were removed; but 165th Street remains an outlier for being one of the few pedestrian malls still in existence from that era. Sutphin Business Improvement District was created by the City Council in 2003 in anticipation of the 2004 opening of the JFK AirTrain terminal.

Recent investments and community planning efforts are helping the community create and jointly pursue a shared vision for the district. Downtown stakeholders would benefit from a better-resourced, larger organization that could coordinate services throughout the downtown area and be a champion for Downtown Jamaica. A single business improvement district for Downtown Jamaica would help align resources that focus on the strengthening of businesses through commercial revitalization projects, economies of scale, and enhanced marketing & promotion efforts by fostering a single downtown Jamaica identity. In order to help long-standing small businesses and new businesses in Downtown Jamaica to be better positioned to leverage these investments and serve a growing population in the years to come, the SADs designated as 165th Street Mall and Jamaica Avenue Mall

will be dissolved, pursuant to the Law, and the boundaries of the District will be expanded to include the area previously encompassed within such SADs.

B. PRESENT USES OF DISTRICT PROPERTY

1. ZONING

As shown in Exhibit D, properties within the proposed District are primarily commercial and mixed use and generally fall within the following zoning designations:

C6-4, C6-3, C6-2, C4-5X, and C4-4. Most of the District falls within the Downtown Jamaica special zoning district.

2. COMMERCIAL/RETAIL

Downtown Jamaica has three vibrant commercial corridors: Jamaica Avenue is home to a dynamic mix of national and local businesses and a variety of retail and food services; Sutphin Boulevard features the AirTrain Jamaica Station, courthouses, and other professional services; 165th Street Mall is a pedestrian area lined with small businesses focused on the retail trade and the Jamaica Colosseum Mall.

There are 112 total storefronts on 165th Street with a vacancy rate of 9% in January 2019. The majority of businesses were apparel and shoes or beauty supply stores. Jamaica Avenue had 373 total storefronts and a 10% vacancy rate, with the majority of stores selling general merchandise, followed by medical services, and furniture and hardware stores. Sutphin Boulevard has 108 total storefronts with the majority being professional services. There are a total of 230 properties within the District.

3. RESIDENTIAL

Downtown Jamaica is demographically and socioeconomically diverse, with an approximate population of 68,000, and 61% of the population is foreign-born. Downtown Jamaica has a large presence of Hispanic or Latino (36%) and Asian (36%) residents, and a median household income of \$46,778, somewhat lower than the borough-wide (\$59,758) and citywide (\$55,191) medians. Downtown Jamaica's diversity is present in its unique restaurants and shops, historic landmarks, arts and cultural institutions, and vibrant commercial corridors.

The residential neighborhoods in and around the heart of the downtown, include Jamaica Estates, Hollis, St. Albans, Addisleigh Park, South Jamaica, and others. Neighborhoods outside of the downtown core are predominantly residential with 1- and 2-family homes and some lower-density multifamily buildings. There is a growing residential footprint within the downtown area.

4. GOVERNMENT AND NOT-FOR-PROFIT

There are several government buildings located in the District, including New York City Civil Court, Queens County Supreme Court, and Queens County Family Court. Anchor non-profit institutions include Rufus King Manor, Jamaica Performing Arts Center, and Jamaica Center for Arts and Learning. York College is just beyond the District, but the downtown area acts as a major gateway to the York College campus.

5. TRANSPORTATION

Downtown Jamaica is a major multi-modal transportation hub with 560,000 people passing through daily. This includes, four subway lines, 48 bus lines (including 10 Long Island bus lines), the Long Island Railroad, and the AirTrain JFK which connects the District to the rest of New York City, Long Island, John F. Kennedy International Airport, and beyond.

III. PROPOSED SERVICES

A. DISTRICT SERVICES

The services to be provided pursuant to this Amended District Plan (the "Services") shall include services required for the enjoyment, protection, and general welfare of the public, the promotion, and enhancement of the District, and to meet needs identified by the members of the District. The Services shall be performed under the direction of the Sutphin Boulevard District Management Association, which is anticipated to be renamed the Downtown Jamaica District Management Association (hereinafter, the "DMA") and will be subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof.

1. SANITATION

The DMA is authorized to administer a sanitation program that may include but not be limited to: manual sweeping and cleaning of sidewalks, public plazas, the 165th Street pedestrian mall, and streets, curbs and gutters, sidewalk power washing, emptying of pedestrian trash receptacles, graffiti and sticker removal, maintenance of street trees, tree pits, lampposts, and street furniture, and snow removal at bus shelters and crosswalks.

In any prospective sanitation program, special attention should be given to problems of overflowing trash receptacles and carting of waste from the 165th Street mall. Any sanitation program should also monitor other sanitation related problems as well as consistent daytime maintenance.

Sanitation personnel may also remove unauthorized posters, signage, stickers etc. Any sanitation program may also include special attention to catch basins with the intention of monitoring the back up of which is often an issue for businesses during and following major rainstorms. Any sanitation program shall operate under the direction of the DMA and its Board of Directors, which shall have authority to determine the hours and days of operation of any sanitation program. The DMA will closely coordinate any sanitation activities with the New York City Department of Sanitation or any other City agency with relevant jurisdiction.

2. PUBLIC SAFETY

The DMA is authorized to institute a security/public safety program that may include but shall not be limited to: unarmed patrol of the District, video camera installation and monitoring, the creation of safety education programs, and the development of a traffic and pedestrian management program. If the use of unarmed patrol is warranted, then a licensed and bonded security company, or the equivalent in staff shall be selected and could act as the representatives of the District paying close attention to all types of activities that might endanger the welfare of residents, workers, patrons, visitors and other neighbors. Any unarmed security patrol shall work in conjunction with the local police precinct to provide services during weekends and holiday periods. Any security program shall operate under the direction of the DMA and its Board of Directors, which shall have authority to determine the hours and days of operation of any security program.

3. MARKETING & PROMOTIONS

The DMA is authorized to administer marketing and promotion services to create a strong image for the District that may include but not be limited to: streetscape improvements, banners, seasonal

lighting, marketing of restaurants and retail establishments, using maps, brochures, joint advertising and newsletters. The program may include the development of a logo and map to promote a brand identity for the District, and creating and installing consistent signage throughout the District. The DMA will also promote events aimed at highlighting the unique character of the District, and provide additional cultural opportunities within the District.

4. LANDSCAPE MAINTENANCE & BEAUTIFICATION

The DMA is authorized to administer landscape maintenance and beautification services for the District that may include but not be limited to: services such as watering, pruning, weeding of tree pits and planters, mulching, seasonal plant purchasing and installation, and maintenance of tree pits, hanging baskets, planters and traffic islands, subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof.

5. MAINTENANCE AND OPERATION OF 165TH STREET MALL

The DMA is authorized to administer general mall management that may include but not be limited to: coordination and provision of mall maintenance and establishing rules for day-to-day operation of the 165th Street Mall. Additionally, the DMA may sweep the mall, remove snow, collect trash from mall receptacles, install, repair, maintain light standards, benches, trees, pavement, and information directories, remove graffiti, and provide public safety personnel to supplement the New York City police department. The DMA may advance design and other physical improvements that would enhance the appearance of the mall, subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof.

6. ECONOMIC DEVELOPMENT

The DMA is authorized to administer economic development activities and new program initiatives that may include but shall not be limited to: encouraging the development of cultural entities, seminars, public programming, free Wi-Fi, business support services, business attraction and retention programs, operating a storefront improvement program and management of taxi and livery stands. The DMA, where possible, will make efforts to partner with and support neighborhood institutions, cultural venues and parks that add value to the District, including but not limited to Rufus King Manor, York College, Jamaica Center for Arts and Learning, and Jamaica Performing Arts Center. Any economic development program developed by the DMA shall comply with all

City rules and regulations and is subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof.

7. ADMINISTRATION AND ADVOCACY

Administration of the District will be performed by a salaried staff (the “Staff”), either in-house or contracted, and may include an Executive Director and any staff deemed necessary by the Board of Directors of the DMA. The Staff will oversee long-and short-term projects in connection with the District Services and Improvements, as directed by the DMA’s Board of Directors for the benefit of the District constituents. The Staff may also serve as spokesperson for the District’s business owners and merchants, collectively and individually, as authorized by the DMA’s Board of Directors and the individual business owner or merchant. Additional administrative expenses may include but not be limited to: office space rent, utilities, equipment, supplies, insurance, postage and newsletters, and legal and accounting services.

The DMA may also act as an advocate on behalf of the stakeholders of the District. This includes working to ensure the Downtown Jamaica area is receiving appropriate levels and intensity of municipal services, as well as liaising with all City agencies to address issues relating to City service delivery and with utilities and other private concerns to coordinate interventions and activities that affect the quality of life in the District. Issues may include, but are not limited to, streetscape design, zoning, crime, transportation & mobility, and parking.

8. ADDITIONAL SERVICES

Subject to any approvals and controls that may be required by a New York City agency having jurisdiction thereof, and in addition to the approval of the Board of Directors of the DMA, in subsequent years the District may provide such additional services as are necessary and are permitted by applicable law.

B. IMPLEMENTATION

It is anticipated that the DMA will commence most Services during the first Contract Year (hereinafter defined).

1. GENERAL PROVISIONS All Services shall be in addition to (and not in substitution for) required and customary municipal services provided by the City of New York on a citywide basis.
2. The staff and/or subcontractors of the DMA may render such administrative services as are needed to support performance of the Services.

All Services need not be performed in every Contract Year. In the event that in any given Contract Year the aggregate revenue of the DMA is not sufficient to equal the total operating budget of the DMA, then subject to any controlling provisions within the Contract between the City of New York and the DMA, the DMA may elect to forgo providing any services necessary in order to meet the organization's required minimum obligations as identified in the annual operating budget.

IV. PROPOSED IMPROVEMENTS

A. IMPROVEMENTS

The improvements (the "Improvements") to be provided pursuant to this Amended District Plan may include, but are not limited to, the following, provided that any Improvements that require review and approval by an appropriate City agency shall be submitted to that City agency, and to the affected Community Board prior to undertaking any Improvement.

1. Sidewalk amenities to identify enhance and beautify the District including the following proposals but not limited to:
 - a. Sidewalk plantings, tree, shrubs and flowers in tubs, at grade or above ground level (i.e., on light standards); and
 - b. Sidewalk logos, banners, medallions and/or plaques identifying the area of the District.
2. Street and sidewalk amenities to improve pedestrian circulation and safety, which may include, but are not limited to:
 - a. Trash receptacles;
 - b. Light poles and lighting, ambient or other;
 - c. Street telephones;
 - d. Signage;
 - e. Key building identification;

- f. Banners and/or medallions;
- g. Gateways;
- h. Benches and/or street furniture;
- i. Information boards and kiosks;
- j. News boxes and newsstands;
- k. Street, subway and other transportation modes identification;
- l. surveillance cameras or pedestrian counters;
- m. barricade treatments for traffic control; and
- n. taxi stands.

If necessary, the DMA will select and hire experienced, insured/bonded contractors to create, install, and maintain any signs, banners, or other streetscape furniture throughout the District, and obtain any required permits and licenses for all DMA programs.

B. IMPLEMENTATION SCHEDULE

It is anticipated that the Improvements, as identified by the DMA, may be implemented on an as-needed basis, under supervision of the DMA.

C. GENERAL PROVISIONS

1. All Improvements shall be in addition to and not in substitution for required and customary municipal improvements provided by the City of New York on a citywide basis.
2. The staff and/or subcontractors of the DMA may render such administrative services as are needed to support implementation and construction of the Improvements.

V. PROPOSED SOURCES OF FUNDING

A. SOURCES OF FUNDING: GENERAL

The proposed sources of funding for all (i) Services, (ii) Improvements, (iii) proceeds arising from indebtedness, as permitted pursuant to paragraph D herein below, and (iv) administrative costs necessary to support the program contemplated under this Amended District Plan shall be the sources of funding described in paragraphs B through G (inclusive). Subject to requirements of the law, the

DMA may apply all monies derived from the sources of funding permitted herein to fund any expenditure permitted under this Amended District Plan.

B. SOURCES OF FUNDING: ASSESSMENTS

The DMA shall enter into a Contract with the City (hereinafter defined in Section X) for the purpose of having the City of New York levy, collect and disburse to the DMA, assessments with respect to the Benefited Properties (hereinafter defined in Section VII) in exchange for the rendering of Services and Improvements. Such assessments, as described herein below, shall be defined as “Assessments”.

1. GENERAL

To defray the cost of Services and Improvements in the District, as hereinbefore defined, all real property in the District shall be assessed in proportion to the benefit such property receives from the Services and Improvements. Each property shall be assessed an amount, that when totaled together with amounts for other properties in the District shall yield an amount sufficient to meet the District's annual budget as determined by the DMA. Each individual assessment shall be calculated based upon a formula (set forth below) applicable to the class of property (hereinafter defined).

The amounts, exclusive of debt service, assessed and levied in a given year against the Benefited Properties as Assessments, may not exceed 20% of the total general City taxes levied in that year against the Benefited Properties.

2. SPECIFIC FORMULA

All properties as classified in the most recent New York City tax rolls and as described below as Classes A, B, and C shall be assessed as follows:

CLASS A PROPERTY – COMMERCIAL OR MIXED-USE

All properties in whole or in part devoted to commercial use, including parking facilities, vacant parcels, and commercial/mixed-use projects which are under construction, are defined as Class A property and shall be assessed at rates using linear front foot (**FF**) and assessed valuation (**AV**). Class A property shall be assessed in the following manner:

$$\text{Rate 1} = \frac{\frac{1}{2} \text{ BUDGET} - (\text{TOTAL CLASS B ASSESSMENT})}{\text{TOTAL CLASS A LINEAR FF}}$$

$$\text{Rate 2} = \frac{\frac{1}{2} \text{ BUDGET} - (\text{TOTAL CLASS B ASSESSMENT})}{\text{TOTAL CLASS A ASSESSED VALUATION}}$$

$$\text{INDIVIDUAL CLASS A ASSESSMENT} = (\text{Rate 1 X INDIVIDUAL PROPERTY FF}) + (\text{Rate 2 X INDIVIDUAL PROPERTY AV})$$

*Commercial condominiums within the same building shall apportion the shared FF based on their square footage, proportionately.

*The frontage facing Jamaica Avenue, Sutphin Blvd, 165th Street, or Union Hall Street shall be used to calculate the FF assessment. If a corner tax lot has multiple frontages on the aforementioned streets, then the longest frontage shall be used to calculate the FF assessment.

CLASS B PROPERTY – RESIDENTIAL

All properties devoted in whole to residential uses are defined as Class B and will be assessed at one dollar (\$1.00) per year.

CLASS C PROPERTY – GOVERNMENT AND NOT-FOR-PROFIT

Government and not-for-profit owned property devoted in whole to public or not-for-profit use shall be exempt from District assessment. Government or not-for-profit owned property devoted in part to commercial/for-profit uses shall constitute Class A property and the proportion of the property devoted to commercial/for-profit uses shall be assessed in the same manner as those properties listed in Class A properties.

3. LIMITATIONS ON ASSESSMENT

The amounts, exclusive of debt service, assessed and levied in any given year against the benefited properties, as assessments, shall not exceed 20 percent of the total general City real property tax levied in that year against benefited properties.

C. SOURCE OF FUNDING: GRANTS AND DONATIONS

The DMA may accept grants and donations from private institutions, the City, State or Federal government, other public and private entities and individuals, elected officials, universities, corporations, partnerships, not-for-profit organizations, and charitable foundations.

D. SOURCE OF FUNDING: BORROWING

1. Subject to subparagraphs 2 and 3 in this subsection V. D., and with the approval of its Board of Directors, the DMA may borrow money from private lending institution, the City, other public and private entities or individuals, firms, corporations or partnerships, and other not-for-profit organizations for the purposes of funding operations or financing the cost of Services or Improvements.
2. The use of monies received by the DMA from the City or from any other public entity, whether in the form of a grant or as proceeds from a loan, shall be subject to (i) all statutory requirements applicable to the expenditure and use of such monies, and (ii) any contractual requirements imposed by the City (whether pursuant to any Contract or otherwise) or by any other public entity, as the case may be.
3. Any loans, which the DMA may enter into as a borrower shall be subject to Section VI of this Amended District Plan.

E. SOURCE OF FUNDING: CHARGES FOR USER RIGHTS

Subject to the approval and control of the appropriate City Agency, the DMA may, in accordance with Section IX of this Amended District Plan, impose charges as consideration for the sub-granting or sublicensing of User Rights (hereinafter defined) as such charges and User Rights are described in Section IX of the Amended District Plan.

F. SOURCE OF FUNDING: OTHER

The DMA may derive revenues from any other sources of funding not heretofore mentioned and which are permitted by law.

G. ASSIGNMENT OF FUNDING

The DMA may assign revenues from the sources of funding described in paragraphs A, B, C, D, E and F of this Section V for the purpose of securing loans which the DMA may enter in pursuant to paragraph D of this Section V, provided such assignments are subject to the requirements of Section V of this Amended District Plan.

VI. PROPOSED EXPENDITURES: ANNUAL BUDGETS

A. TOTAL ANNUAL EXPENDITURES AND MAXIMUM COST OF IMPROVEMENTS

The total amount proposed to be expended by the DMA for Services, Operations, and Improvements, if any, for the First Contract Year is a maximum of \$1,350,000, as more fully set forth in Subsection B of this Section VI. In subsequent years, the maximum amount to be expended in any contract year shall not exceed \$1,500,000, as more fully set forth in Subsection B of this Section VI. Changes to the maximum amount to be collected from Assessments shall be subject to the requirements set forth in the Law.

The total, as proposed to be expended by the DMA for any subsequent Contract Year, shall not be greater than aggregate amount of all monies which the DMA may collect for the Contract Year in question from all funding sources permitted under Section V of this Amended District Plan. During the existence of this BID, the maximum cost of the Improvements, if any, will not exceed \$15,000,000.

B. ANNUAL BUDGET

1. FIRST YEAR BUDGET

It is estimated that the annualized budget of proposed expenditures to be made during the First Contract Year shall be as follows:

Sanitation	\$400,000
Marketing & Public Events	\$150,000
Public Safety	\$100,000
Streetscape & Beautification	\$100,000

Public Plaza / 165 th Street Mall Operations	\$220,000
General & Administrative	\$380,000
TOTAL FIRST YEAR BUDGET	\$1,350,000

In the event additional sources of funding are made available during the First Contract Year, the DMA may revise the Budget with the appropriate review and approval of the Board of Directors and in accordance with the Contract.

2. SUBSEQUENT BUDGETS

The DMA shall establish for each Contract Year after the First Contract Year, a proposed budget of expenditures that must be approved by the Board of Directors. Such proposed budgets shall, with respect to the Contract Years to which they respectively apply: (i) reasonably itemize the purposes for which monies are proposed to be expended by the DMA; (ii) specify the amount, if any, proposed to be expended by the DMA for debt service; and (iii) set forth the total amount proposed to be expended (the "Total Annual Budget Amount"). A proposed budget, whether for the First Contract Year or for a subsequent Contract Year, shall be referred to as a "Budget".

3. GENERAL PROVISIONS

1. The DMA shall make no expenditure other than in accordance with and pursuant to:
 - a. a Budget for which a Total Annual Budget Amount has been approved by the City and the Directors of the DMA;
 - b. any provisions in the Contract providing for the satisfaction of outstanding obligations of the DMA; or
 - c. any provisions in the Contract providing for the expenditure of amounts provided in the Budget for, but unexpended in, a previous Contract Year.
2. The Total Annual Budget Amount shall not exceed the maximum total and annual amount that the DMA may expend for the Contract Year in question, pursuant to subsection A of this Section VI.
3. The Total Annual Budget Amount shall not be less than the amount needed to satisfy the DMA's debt service obligations for the Contract Year in question.
4. Subject to the DMA's need to satisfy its debt service obligations for the Contract Year in question, the DMA may revise the itemizations within any Budget accordingly.

5. In the event that in any given Contract Year the sources of funding do not in the aggregate produce revenues equal to the Total Annual Budget Amount for such Contract Year, the DMA may, subject to the Contract, forego some or all of the non-debt service expenditures as are provided for in the Budget in question in order to have revenues sufficient to pay the debt service provided for in such Budget.
6. In the event the DMA needs to reallocate its non-debt service expenditures for the Contract Year in question, and provided further, that any debt service has been provided for, the DMA may revise the itemizations within any Budget to accomplish such goal with the appropriate review and approval of the Board of Directors and in accordance with the Contract.

VII. BENEFITED PROPERTIES

The providing of Services and Improvements shall benefit all properties within the District (hereinafter the "Benefited Properties"). The Benefited Properties are illustrated by the District Map (Exhibit A) and tax block and lots indicated in Exhibit C.

VIII. DISTRICT MANAGEMENT ASSOCIATION

The DMA shall be incorporated under Section 402 of the New York State Not-for-Profit Corporation Law. The DMA shall be organized for the purpose of executing the responsibilities of a DMA as set forth in the Law. Furthermore, the DMA shall carry out the activities prescribed in the Amended District Plan and shall promote and support the District.

The DMA shall be organized exclusively for charitable and education purposes as specified in Section 501 (c) of the Internal Revenue Code, as amended.

The DMA shall have four (4) classes of voting membership and one class of non-voting membership. The voting classes are composed of: (i) owners of record of real property located within the District; (ii) commercial tenants leasing space within the District; (iii) residential tenants leasing space within the District, and (iv) public representatives. The non-voting class shall include community board representatives and may include others with an interest in the welfare of the District.

Each voting class shall elect members to the Board of Directors in the manner prescribed by the By-Laws of the Corporation. The Board of Directors shall include the representatives of owners of record of real property located within the District (which shall constitute a majority of the Board), representatives of both commercial and residential tenants (including proprietary leases) leasing space in the buildings within the District and one member appointed by each of the following public officials: the Mayor of the City; the Comptroller of the City; the Borough President of Queens; and the City Council member who represents the District or, if more than one City Council member represents a portion of the District, by appointment of the Speaker of the City Council. The Community Board Chairperson or designated representative shall serve in a non-voting capacity.

IX. USER RIGHTS

A. USER RIGHTS: GENERAL

The DMA may undertake or permit commercial activities or other private uses of the streets or other parts of the District in which the City has any real property interest (the "User Rights"), provided, however, that the User Rights to be so undertaken or permitted by the DMA shall have been: (i) set forth in this Amended District Plan or authorized for licensing or granting by the City to the DMA in a local law adopted by the City Council, and (ii) licensed or granted to the DMA by the City pursuant to the Contract, and (iii) authorized by the appropriate City agency having jurisdiction thereof.

Once so granted or licensed, the User Rights in question shall be undertaken or permitted by the DMA in such a manner as to conform to the requirements, if any, set forth in the Amended District Plan or the aforesaid local law with respect to User Rights, and conform to the requirements authorized by the appropriate City agency having jurisdiction thereof. Such requirements may include but shall not be limited to:

- a. requirements as to what consideration the DMA shall pay to the City for the grant and/or license in question;
- b. requirements as to whether and how the DMA may permit others to undertake the User Rights in question pursuant to a sub-grant or sub-license;
- c. requirements as to what charges the DMA may impose upon other persons as consideration for such sub-grant or sub-license; and

- d. requirements as to the general regulation of the User Rights by whomsoever undertaken.

B. USER RIGHTS: PROPOSED

Subject to the approval and control of the appropriate City agency and/or subject to any requirements set forth in any Contract, the DMA may undertake or permit the following User Rights, subject to the requirements set forth in the Contract:

1. Any marketing or beautification program that makes use of the NYC Department of Transportation light poles or fixtures;
2. Information Stands;
3. News Racks;
4. Promotion Signs or Kiosks;
5. Concessions on Public Plazas and 165th Street Mall;
6. Any commercial activities or other private uses on 165th Street Mall;
7. Public Plaza and 165th Street Mall Uses
8. Street vendor stands;
9. Taxi and/or other ride-hailing car service stands;
10. Public plaza and 165th Street Mall programming;
11. Wayfinding signage;
12. Street Seats; and
13. Such other User Rights as may be appropriate to the District, subject to the approval and control of the appropriate City agency and/or subject to any requirements set forth in any Contract with the City.

X. REGULATIONS

The rules and regulations proposed for governing the operation of the District and the provision of Services and Improvements by the DMA ("the Regulations") are set forth herein below.

- A. The DMA shall obligate itself to provide the Services and Improvements in a Contract or Contracts into which both the DMA and the City shall enter (collectively, the "Contract") for a specified term (each year or the Contract term to be defined as a "Contract Year"). The City shall, pursuant to the terms, conditions and requirements of the Contract, levy,

collect and disburse to the DMA the Assessments. Such disbursements shall be made in accordance with general procedures for the payment of other City expenditures.

- B. The DMA shall comply with all terms, conditions and requirements (i) that are elsewhere set forth in this Amended District Plan; (ii) that are to be set forth in the Contract and in any other Contracts into which both the DMA and the City may enter; and (iii) shall comply with all terms, conditions and requirements set forth by the appropriate City agency which is required to give its approval.
- C. The DMA shall let any sub-contracts that it intends to enter into in connection with providing the Services and/or the Improvements.

XI. GLOSSARY OF TERMS

<u>TERMS</u>	<u>DEFINITION BY LOCATION</u>
Assessments	V (B)
Benefited Properties	VII
Budget	VI (B)
District	I
District Management Association	VIII
District Map	I
Improvements	IV (A)
Law	I
Plan	I
Services	III (A)
Total Annual Budget	VI (B)
User Rights	IX
Regulations	X

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Exhibit A -Map of the District



Exhibit B: Mayor's Authorization to Prepare a District Plan



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

November 17, 2021

Jannel Doris
Commissioner
Department of Small Business Services
1 Liberty Plaza
New York, NY 10006

Dear Commissioner Doris:

Pursuant to Section 25-405(a) of the Administrative Code of the City of New York, I hereby authorize the preparation of a district plan for the establishment of the Downtown Jamaica Business Improvement District (BID), located in the Borough of Queens. The proposed boundaries and sponsor organization for the proposed BID are as follows:

Proposed Boundaries: Sutphin Boulevard, from the north side of 94th Avenue up to the south side of Hillside Avenue; Jamaica Avenue, from Sutphin Boulevard up to the east side of 169th Street; Union Hall Street from the north side of Archer Avenue up to Jamaica Avenue; 165th Street from Jamaica Avenue up to the north side of 89th Avenue (known colloquially as the 165th Street Mall).

Sponsor Organization: Councilmember I. Daneek Miller

The Department of Small Business Services shall prepare the District Plan pursuant to authority granted by Section 25-405(a) of this law.

The authorization shall take effect immediately.

Sincerely,

Handwritten signature of Bill de Blasio in black ink.

Bill de Blasio,
Mayor

cc: Hon. Corey Johnson, Speaker of the City Council
Hon. Daniel Dromm, Chair of the City Council Finance Committee
Hon. Donovan Richards, Queens Borough President
Hon. Members of the New York City Council
Vicki Been, Deputy Mayor for Housing and Economic Development
Jannel Doris, Commissioner, Department of Small Business Services
Jackie Mallon, First Deputy Commissioner, Department of Small Business Services
Michael Blaise Backer, Deputy Commissioner, Department of Small Business Services
Calvin Brown, Assistant Commissioner, Department of Small Business Services
Nicole Perry, Chief of Staff, Department of Small Business Services
Roxanne Earley, BID Program Director, Department of Small Business Services

Exhibit C: Tax Blocks and Lots of Benefited Properties

Boro	Block	Lot	Class
4	10092	0001	C
4	10092	0006	C
4	10093	0001	C
4	10097	0010	C
4	10097	0020	C
4	10100	0001	A
4	10101	0011	C
4	10155	0001	A
4	09676	0007	A
4	09676	0013	A
4	09676	0022	A
4	09676	0027	A
4	09676	0030	A
4	09676	0031	A
4	09676	0032	A
4	09676	0033	A
4	09676	0034	A
4	09676	0035	A
4	09676	0037	A
4	09677	0001	A
4	09677	0007	A
4	09677	0016	A
4	09677	0184	A
4	09677	0185	A
4	09677	0186	A
4	09677	0187	A
4	09677	0188	A
4	09677	0191	A
4	09678	0094	A
4	09678	0099	A
4	09678	0104	A
4	09678	0105	A
4	09678	0106	A
4	09678	0206	A
4	09679	0080	A
4	09679	0081	A
4	09679	0082	A
4	09679	0083	A
4	09679	0084	A
4	09679	0085	A
4	09679	0086	A
4	09679	0087	A
4	09679	0088	A
4	09679	0089	A
4	09679	0386	A

4	09680	0001	C
4	09682	0001	C
4	09688	0006	A
4	09688	0008	A
4	09688	0009	A
4	09688	0011	A
4	09688	0013	A
4	09688	0014	A
4	09688	0017	A
4	09690	0009	A
4	09690	0010	A
4	09690	0013	A
4	09690	0014	A
4	09690	0017	A
4	09690	0018	A
4	09691	0001	C
4	09692	0045	A
4	09692	0050	A
4	09692	0051	A
4	09692	0052	A
4	09692	0054	A
4	09754	1001	A
4	09754	1002	A
4	09754	0011	C
4	09754	0034	A
4	09754	0046	A
4	09754	0047	A
4	09754	0053	A
4	09754	0054	A
4	09754	0056	A
4	09754	0057	A
4	09756	0001	A
4	09756	0054	A
4	09756	0056	A
4	09756	0058	A
4	09756	0060	A
4	09757	0001	A
4	09757	0047	A
4	09757	0048	A
4	09757	0049	A
4	09760	1001	A
4	09760	1002	A
4	09760	0001	A
4	09760	0087	A
4	09761	0001	A
4	09761	0083	A
4	09761	0095	A
4	09793	0001	A

4	09793	0011	A
4	09793	0014	A
4	09794	0014	A
4	09794	0014	A
4	09794	0016	A
4	09794	0017	A
4	09794	0018	A
4	09794	0019	A
4	09794	0020	A
4	09794	0030	A
4	09794	0036	A
4	09794	0048	A
4	09794	0114	A
4	09795	0001	A
4	09795	0003	C
4	09795	0007	A
4	09795	0009	A
4	09795	0010	A
4	09795	0010	A
4	09795	0011	A
4	09795	0012	A
4	09795	0030	A
4	09795	0065	A
4	09795	0085	A
4	09795	0098	A
4	09795	0101	A
4	09795	0130	A
4	09796	0001	A
4	09796	0003	A
4	09796	0005	A
4	09796	0009	A
4	09796	0010	A
4	09796	0011	A
4	09796	0012	A
4	09796	0013	A
4	09796	0014	A
4	09796	0015	A
4	09796	0019	A
4	09799	0001	A
4	09799	0016	A
4	09799	0018	A
4	09799	0019	A
4	09799	0022	A
4	09987	0015	A
4	09987	0016	A
4	09987	0018	A
4	09988	0031	A
4	09988	0032	A

4	09988	0034	A
4	09988	0035	A
4	09988	0037	A
4	09994	0026	A
4	09994	0028	A
4	09994	0029	A
4	09994	0031	A
4	09994	0038	C
4	09994	0049	A
4	09994	0050	A
4	09994	0051	A
4	09994	0052	A
4	09994	0053	A
4	09994	0054	A
4	09994	0055	A
4	09994	0056	A
4	09994	0059	A
4	09994	0060	A
4	09994	0061	A
4	09995	0001	A
4	09996	0001	A
4	09996	0005	A
4	09996	0009	A
4	09997	0001	A
4	09997	0005	A
4	09997	0006	A
4	09997	0007	A
4	09997	0008	A
4	09997	0011	A
4	09998	1001	B
4	09998	1002	B
4	09998	1003	A
4	09998	1004	A
4	09998	0042	A
4	09998	0043	A
4	09998	0047	A
4	09998	0048	C
4	09998	0052	C
4	09998	0065	C
4	09998	0070	C
4	10101	0001	A
4	10101	0003	A
4	10101	0015	A
4	10101	0024	A
4	10101	0027	A
4	10102	0001	A
4	10102	0002	A
4	10102	0004	A

4	10102	0010	A
4	10102	0080	A
4	10151	0001	A
4	10151	0007	A
4	10151	0012	A
4	10151	0013	A
4	10151	0014	A
4	10151	0015	A
4	10151	0016	A
4	10151	0019	A
4	10151	0021	A
4	10151	0023	A
4	10151	0024	A
4	10151	0025	A
4	10151	0113	A
4	10155	0004	A
4	10155	0008	A
4	10155	0009	A
4	10155	0010	A
4	10155	0011	A
4	10155	0012	A
4	10156	0001	A
4	10156	0005	A
4	10156	0006	A
4	10156	0007	A
4	10156	0009	A
4	10156	0011	A
4	10156	0014	A
4	10209	0002	A
4	10209	0008	A
4	10209	0009	A
4	10209	0010	A
4	10209	0011	A
4	10209	0012	A
4	10209	0013	A
4	10209	0014	A
4	10210	0021	A
4	10210	0022	A
4	10210	0231	A
4	10210	0232	A
4	10210	0233	A

Exhibit D - Land Use Map of Downtown Jamaica

Exhibit D - Land Use

