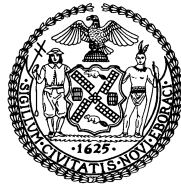


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THE COUNCIL
REPORT OF THE FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
JEFF RODUS, FIRST DEPUTY DIRECTOR

COMMITTEE ON FINANCE
Hon. Domenic M. Recchia, Jr., Chair
February 27, 2013

Prop. Res. 1652-A.

By Council Member Recchia

SUBJECT:

Resolution concerning an amendment to the District Plan of the Myrtle Avenue Business Improvement District that authorizes additional services and modifies existing services for the district, and setting the date, time and place for the public hearing of the local law authorizing additional services and modifying existing services for the district.

Today, the Committee on Finance will consider Proposed Res. 1652-A, a resolution setting the date, time and place for the public hearing on an amendment to the District Plan of the

Myrtle Avenue Business Improvement for March 13, 2013, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m.

ANALYSIS:

This Proposed Resolution is required by the existing law, Chapter 4 of Title 25 of the New York City Administrative Code, (the “BID Law”), which authorizes the City Council to establish Business Improvement Districts.

The main purpose of this Resolution is to set the public hearing date, time and place for the review of the local law which would amend the District Plan of the Myrtle Avenue Business Improvement District (the “Myrtle Avenue BID”).

The Myrtle Avenue business improvement district was established in 1988 to provide supplemental services within the district. Over time, the district’s needs related to certain services have changed. The local law would authorize additional services and modify existing services in the district. The changes would result in the discontinuance of the maintenance program and the addition of sanitation and graffiti removal services in place of that program, additional security and promotional services, and additional holiday and seasonal decorations.

The hearing on the local law and the Myrtle Avenue BID plan, as amended, will be held on March 13, 2013, in the City Council Committee Room, 2nd Floor, City Hall at 10:00 a.m. before the Committee on Finance.

This Resolution also directs that all notices required under the BID Law be properly given by the Department of Business Services and the Myrtle Avenue District Management Association. The notice of the hearing will state the proposed change in the method of assessment upon which the district charge in the Myrtle Avenue Business Improvement District is based.

BID’s, which are specifically established areas, use the City’s property tax collection mechanism to approve a special tax assessment with which to fund additional services

that would enhance such areas and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The BID demarcates the areas in which services will be enhanced and also establishes the mechanism for the assessment needed to generate the required budget.

Proposed Res. 1652-A

Resolution concerning an amendment to the District Plan of the Myrtle Avenue Business Improvement District that authorizes additional services and modifies existing services for the district, and setting the date, time and place for the public hearing of the local law authorizing additional services and modifying existing services for the district

By Council Member Recchia

Whereas, Pursuant to the authority formerly granted to the Board of Estimate by 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 Board of Estimate, by Resolution dated August 19, 1982 (Calendar No. 285) provided for the preparation of a district plan (the “District Plan”) for the Myrtle Avenue Business Improvement District (the “District”) in the City of New York; and

Whereas, The Board of Estimate, by Resolution dated January 14, 1988 (Calendar No. 281) authorized the establishment of the District in accordance with the District Plan; and

Whereas, Pursuant to Local Law No. 82 for the year 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 amendment to the District Plan that provides for additional improvements or services 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 such changes and that the tax and debt limits prescribed in section 25-412 of the BID Law will not be exceeded by such changes; and

Whereas, The Myrtle Avenue Business Improvement District wishes to amend the District Plan, as amended, in order to authorize additional services and modify existing services for the District; 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 District specifying the time when and the place where the hearing will be held; 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) March 13, 2013 is the date and the City Council Committee Room, 16th floor, 250 Broadway, is the place and 10AM is the time for a public hearing (the “Public Hearing”) to hear all persons interested in the legislation that would authorize additional services and modify existing services for the District; and
- (ii) on behalf of the City Council and pursuant to section 25-410(b) of the BID Law, the District Management Association of the Myrtle Avenue Business Improvement District is hereby authorized to publish in a newspaper of general circulation in the District, not less than ten (10) days prior to the Public Hearing, a notice stating the time and place of the Public Hearing and stating the proposed amendment to the District Plan authorizing additional services and modifying existing services for the Myrtle Avenue Business Improvement District.