Legislation Details (With Text)

File #:	Res 1242-2005	**Version:**	A	**Name:**	Authorizing an increase in the amount to be expended in eleven business improvement districts and one special assessment district.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Finance
On agenda:	11/16/2005				
Enactment date:				**Enactment #:**	

Title: Resolution concerning the increase in the annual expenditure for the Metrotech Area, the 34th Street, the Grand Central, the Woodhaven, the Fifth Avenue, the Fashion Center, the Grand Street, the 125th Street, the Washington Heights, the Downtown-Lower Manhattan, and the Kings Highway Business Improvement Districts, and the Fulton Mall Special Assessment District, and the setting of the time and place for the hearing of the local law increasing the annual expenditure for such districts.

Sponsors: David I. Weprin, Michael C. Nelson, (by request of the Mayor)

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript, 3. Hearing Transcript - Stated Meeting 11/30/05

Date	Ver.	Action By	Action	Result
11/16/2005	*	City Council	Introduced by Council	
11/16/2005	*	City Council	Referred to Comm by Council	
11/30/2005	*	Committee on Finance	Hearing Held by Committee	
11/30/2005	*	Committee on Finance	Amendment Proposed by Comm	
11/30/2005	*	Committee on Finance	Amended by Committee	
11/30/2005	A	Committee on Finance	Approved by Committee	Pass
11/30/2005	A	City Council	Approved, by Council	Pass

Res. No. 1242-A

Resolution concerning the increase in the annual expenditure for the Metrotech Area, the 34th Street, the Grand Central, the Woodhaven, the Fifth Avenue, the Fashion Center, the Grand Street, the 125th Street, the Washington Heights, the Downtown-Lower Manhattan, and the Kings Highway Business Improvement Districts, and the Fulton Mall Special Assessment District, and the setting of the time and place for the hearing of the local law increasing the annual expenditure for such districts.

By Council Members Weprin and Nelson (by request of the Mayor)

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 Metrotech Area, the 34th Street, the Grand Central, the Woodhaven, the Fifth Avenue, the Fashion Center, the Grand Street, the 125th Street, the

Washington Heights, the Downtown-Lower Manhattan, and the Kings Highway Business Improvement Districts in the City of New York; and

WHEREAS, the Fulton Mall Special Assessment District was established by the Board of Estimate pursuant to Chapter 911 of the laws of New York of 1976; and

WHEREAS, Section 25-416 of the BID Law (whose parallel provision in the General Municipal Law is Section 980-o) states, in relevant part, that "special...assessment districts…shall be subject to the provisions of this chapter [the BID Law] but shall not be required to comply with any provisions of this chapter which are contrary to or more restrictive than those under which the district was established…."; and

WHEREAS, Section 25-410 (b) of the BID Law provides a procedure for authorizing "the amount to be expended annually" in business improvement districts, and pursuant to Section 25-416 of the BID Law in special assessment districts; 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 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 eleven (11) Business Improvement Districts and one Special Assessment District wish to increase the amount to be expended annually beginning on July 1, 2005 as follows: Metrotech Area, $2,624,492; 34th Street, $8,657,000; Grand Central, $11,565,540; Woodhaven, $218,000; Fifth Avenue, $2,282,500; Fashion Center, $4,360,000; Grand Street, $135,200; 125th Street, $603,000; Washington Heights, $517,422; Downtown-Lower Manhattan, $13,000,000; Kings Highway, $250,000; and Fulton Mall, $1,430,000.

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 21, 2005 is the date and the City Council Committee Room, 2nd floor, City Hall, is the place and 11:00 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 eleven Business Improvement Districts and one Special Assessment District; 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 Metrotech Area, the 34th Street, the Grand Central, the Woodhaven, the Fifth Avenue, the Fashion Center, the Grand Street, the 125th Street, the Washington Heights, the Downtown-Lower Manhattan, and the Kings Highway Business Improvement Districts, and the Fulton Mall Special Assessment District 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 eleven Business Improvement Districts and one Special Assessment District.

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