Legislation Details (With Text)

File #:	Res 1616-2021	**Version:**	*	**Name:**	Madison/23rd/ Flatiron/ Chelsea business improvement district.
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Finance
On agenda:	4/29/2021				
Enactment date:				**Enactment #:**	

Title: Resolution authorizing an increase in the amount to be expended annually in the Madison/23rd/ Flatiron/Chelsea Business Improvement District in the Borough of Manhattan, an extension of the boundaries of such district, and a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Madison/23rd/Flatiron/ Chelsea Business Improvement District.

Sponsors:

Indexes:

Attachments: 1. Res. No. 1616, 2. April 29, 2021 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 4-29-21, 4. Minutes of the Stated Meeting - April 29, 2021, 5. City Planning Commission Report, 6. Committee Report 5/12/21, 7. Hearing Transcript 5/12/21, 8. May 12, 2021 - Stated Meeting Agenda with Links to Files, 9. Hearing Transcript - Stated Meeting 5-12-21, 10. Minutes of the Stated Meeting - May 12, 2021

Date	Ver.	Action By	Action	Result
4/29/2021	*	City Council	Introduced by Council	
4/29/2021	*	City Council	Referred to Comm by Council	
5/12/2021	*	Committee on Finance	Approved by Committee	Pass
5/12/2021	*	Committee on Finance	Hearing Held by Committee	
5/12/2021	*	City Council	Approved, by Council	Pass

Res. No. 1616

Resolution authorizing an increase in the amount to be expended annually in the Madison/23rd/ Flatiron/Chelsea Business Improvement District in the Borough of Manhattan, an extension of the boundaries of such district, and a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing such changes as set forth in the amended District Plan of the Madison/23rd/Flatiron/ Chelsea Business Improvement District.

By Council Member Dromm

WHEREAS, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (the "BID Law"), the Mayor, by authorization dated September 30, 2020, provided for the preparation of an amended district plan for the Madison/23rd/Flatiron/Chelsea Business Improvement District (the "District") in the Borough of Manhattan; 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

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WHEREAS, pursuant to authority granted by the BID Law, the District was established by Local Law No. 112 for the year 2005; 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, or any change in the method of assessment upon which the district charge is based, or 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 such changes and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such changes; and

WHEREAS, pursuant to Section 25-410(c) of the BID Law, an amendment to the District Plan that provides for an increase in the total maximum amount to be expended for improvements in the District 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 increase and that the tax and debt limits prescribed in Section 25-412 of the Law will not be exceeded by such increase; and

WHEREAS, the District wishes to increase the amount to be expended annually in the District to $6,000,000, beginning on June 30, 2021, to extend the District's boundaries, and to change the method of assessment upon which the district charge is based; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the New York City Department of Small Business Services ("SBS") submitted an amended District Plan (the "Amended Plan") for the District to the City Planning Commission (the "CPC") on November 30, 2020; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC submitted the Amended Plan to the City Council on December 4, 2020; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC submitted the Amended Plan to the Council Members representing the council districts in which the District is located on December 4, 2020; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC submitted the Amended Plan to Manhattan Community Boards 4 & 5 (the "Community Boards"), in which the proposed extended district is located, on December 4, 2020; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC submitted the Amended Plan to the Manhattan Borough President on December 4, 2020; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the Community Boards notified the public of the Amended Plan in accordance with the requirements established by the CPC; and

WHEREAS, on December 15, 2020, Community Board 5 voted to approve the extension of the District; and

WHEREAS, on December 21, 2020, Community Board 4 voted to approve the extension of the District; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC reviewed the Amended

Plan, held a public hearing on January 20, 2021, and prepared a report certifying its unqualified approval of the Amended Plan; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, the CPC submitted its report to the Mayor, to the Manhattan Borough President, to the City Council and to the Council Members representing the council districts in which the District is located; and

WHEREAS, pursuant to section 25-405(c) of the BID Law, a copy of the CPC's report, the original district plan and the Amended Plan were transmitted for filing with the City Clerk on February 24, 2021; and

WHEREAS, pursuant to section 25-406(a) of the BID Law, a copy of the Amended Plan and the CPC's report are annexed hereto and are made part of this Resolution; and

WHEREAS, pursuant to section 25-406(a) of the BID Law, the Amended Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

WHEREAS, pursuant to Section 25-406(b) of the BID Law, any owner of real property, deemed benefited and therefore within the proposed extended district, objecting to the Amended Plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

WHEREAS, pursuant to Section 25-406(b) of the BID Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for extension, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for extension, file objections to the Amended Plan with the City Clerk within the thirty-day objection period, the District will not be extended; now, therefore, be it

RESOLVED, that the Council of the City of New York, pursuant to Section 25-406 of he BID Law, hereby directs that:

(i) _____ is the date and the City Council Remote Hearing, Virtual Room _____, is the place and _____ is the time for a public hearing (the "Public Hearing") to hear all persons interested in the legislation that would authorize an increase in the amount to be expended annually in the District, an extension of the District's boundaries, and a change in the method of assessment upon which the district charge in the District is based;

(ii) the Flatiron/23rd Street Partnership District Management Association shall, not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed extended district, and to the tenants of each building within the proposed extended district;

(iii) SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten (10) nor more than thirty (30) days before the date of the Public Hearing;

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(iv) in the event that the Flatiron/23rd Street Partnership District Management Association mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the BID Law; and

(v) on behalf of the City Council and pursuant to Section 25-410(b) of the BID Law, the Flatiron/23rd Street Partnership District Management Association is hereby authorized to publish in a newspaper having 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 increase in the amount to be expended annually in the District.

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