



Legislation Text

File #: 13-2065, Version: 1

Dept/ Agency: Economic & Housing Development

Action: () Ratifying (X) Authorizing () Amending

Type of Service: 2014 Annual Budget for Ironbound Business Improvement District (IBID)

Purpose: Introducing and Approving 2014 Annual Budget of the Ironbound Business Improvement District

Amount: \$825,000.00

Budget Period: January 1, 2014 through December 31, 2014

Additional Information:

Ordinance 6PSF-B030613 repealed Ordinances 6S&FN adopted November 13, 2000 and Ordinance 6S&FC adopted May 7, 2003 and created an expanded Ironbound Business Improvement District and changed regulations for the operation of the Ironbound Business Improvement District.

Note: Public Hearing to be held on December 4, 2013

WHEREAS, by Ordinance 6PSF-B, adopted on March 6, 2013, (the "Ordinance") the Municipal Council repealed Ordinance 6S&FN adopted November 13, 2000 and Ordinance 6S&FC adopted May 7, 2003, and created and designated within the City of Newark a special improvement district authorized pursuant to N.J.S.A. 40:56-65 et. seq., to be known as the Ironbound Business Improvement District (District") and designated a District Management Corporation, to create an expanded district and to change regulations for the operation of the business improvement district within the City of Newark as authorized pursuant to N.J.S.A. 40:56-65, et. seq.; and

WHEREAS, in accordance with N.J.S.A. 40:56-80 and the provisions of Ordinance 6PSF-B, adopted on March 6, 2013, the District Management Corporation must prepare an annual budget that includes an estimate of the annual costs of operating the District including a summary of the categories of cost property chargeable as follows;

- (1) the amount of such costs to be charged against the general funds of the municipality, which shall be that amount which the municipality would pay from its general funds for street maintenance and operation on a street of similar size and location, but not improved in a special improvement district;
- (2) the costs charged and assessed against properties within the District in proportion to the benefits conferred by the annual improvement;
- (3) the amount of costs, if any, to be specially taxed against properties in the District; and

WHEREAS, upon receipt of the budget, the Municipal Council is required to consider the budget, approve the budget, schedule a public hearing and adopt the budget with such amendments as the governing body considers necessary to operate and maintain the District during the ensuing fiscal year; and

WHEREAS, upon approval of the budget the Tax Assessor must comply with N.J.S.A. 40:56-81(c) including, but not limited to, preparing an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties in the District; and

WHEREAS, the estimated annual budget for the calendar year 2014 (January 1, 2014 through December 31, 2014, in the amount of \$825,000.00 for the District, attached hereto as Exhibit A, was unanimously approved by the District Management Corporation at its June 3, 2013 meeting of the board of directors.

WHEREAS, the amount anticipated to be raised by the special assessments to support the Budget of the District is estimated to be \$825,000.00 and shall be paid over to the District Management Corporation in installments of 25% of the total estimated assessments quarterly.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The estimated annual budget for the calendar year 2014 (January 1, 2014 through December 31, 2014), in the amount of \$825,000.00, for the Ironbound Business Improvement District (District"), attached hereto as Exhibit A, as approved by the District Management Corporation at its June 3, 2013 meeting of the board of directors, is hereby introduced and approved, subject to a public hearing prior to adoption, in accordance with provisions of Ordinance 6PSF-B, adopted on March 6, 2013, and as set forth in N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84.

2. The Tax Assessor is directed to do the following:

- (a) prepare an assessment roll specifying the amounts specifically assessed against each benefitted and assessable property in the District in proportion to the benefit conferred, based upon the approved budget in accordance with the procedures prescribed in N.J.S.A.40:56-80(c). Such assessment roll shall include a description of each property and the names of the owners; and
- (b) file the assessment roll in the Office of the City Clerk to be available for public inspection.

3. The City Clerk is directed to do the following:

- (a) schedule a public hearing on the budget and the amount of the assessments not less than 28 days from the date of this Resolution;
- (b) at least 10 days prior to the date of the hearing publish (i) a notice setting the time and place of the public hearing on the budget and amounts of the special assessments; and (ii) a copy of the entire budget in a newspaper of general circulation in the City of Newark;
- (c) at least 10 days prior to the date the notice is published, send a copy of the notice of public hearing to the named owners of each property proposed to be assessed; and

- (d) at least 10 days before the date of the scheduled hearing
 - (i) post a complete copy of the approved budget in City Hall in the customary location for posting public notices;
 - (ii) post a complete copy of the assessment roll in City Hall in the customary location for posting public notices; and
 - (iii) make available a copy of the budget to any person requesting it up to and including the date of the public hearing.
- 4. Upon approval of the assessment roll with any changes approved by the Council, the City Clerk shall immediately certify a copy of the assessment roll to the County Tax Board to be effective as of January 1, 2014.
- 5. The amount anticipated to be raised by the special assessments to support the annual budget of the District Management Corporation for the calendar year 2014 (January 1, 2014 through December 31, 2014) is estimated to be \$825,000.00. Said total estimated amount of the special assessments set forth in the estimated and approved budget shall be paid over to the District Management Corporation in installments of 25% of the total estimated assessments quarterly.
- 6. The Office of the City Clerk shall forward certified copies of this resolution will be forwarded to the Business Administrator, the Director of Finance and the Office of Tax Collector.
- 7. An executed copy of this resolution will be filed with the Office of the City Clerk.

STATEMENT

This resolution (1) Introduces and approves the annual budget of the Ironbound Business Improvement District in the estimated amount of \$825,000.00 for the calendar year 2014 (January 1, 2014 through December 31, 2014), subject to a public hearing prior to adoption, in accordance with provisions of Ordinance 6PSF-B, adopted on March 6, 2013, and as set forth in N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84; (2) Directs the City Clerk to publically advertise the budget and schedule a public hearing; and (3) Directs the Tax Assessor to prepare an assessment roll of the properties within the district based upon the budget