S T A T E O F N E W Y O R K

3773

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. AUBRY, WEPRIN, GIANARIS, HEVESI, CLARK, PHEFFER, MAYERSOHN -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT in relation to establishing the Flushing Meadow-Corona Park community development corporation and to amend the general municipal law, in relation to designating Willets Point as an empire zone

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The legislature finds that the creation of a redevelopment and revitalization plan for Willets Point, an area in Queens, New York, more particularly described as the area bounded on the south by the Long Island Expressway, on the north by Flushing Bay, on the east by the Flushing River, and on the west by the Grand Central Parkway is crucial to successful completion of a development plan for Downtown Flushing. The legislature finds that there exists a need to create a plan for the Willets Point area that will leverage the area's excellent location and improve connections between Downtown Flushing, Corona, Shea Stadium and Flushing Meadow-Corona Park as well as making it a tourist attraction. The legislature further finds that the establishment of the Flushing Meadow-Corona Park community development corporation is vital to the achievement of such development plans.

S 2. Flushing Meadow-Corona Park community development corporation. 1. (a) The board of directors of the New York state urban development corporation is hereby authorized and directed to immediately take all necessary actions to create the Flushing Meadow-Corona Park community development corporation, in accordance with the provisions of this act. The Flushing Meadow-Corona Park community development corporation shall be a subsidiary of the New York state urban development corporation in accordance with section 12 of section 1 of chapter 174 of the laws of 1968. Such board of directors shall complete all such necessary actions not later than September 1, 2010.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD04424-01-9

(b) For purposes of this act "Flushing Meadow-Corona Park community development area" shall mean and include, but not be limited to, the United States Tennis Association, Flushing Marina, Shea Stadium, Hall of Science, the Queens Theater and Willets Point.

2. The membership of the Flushing Meadow-Corona Park community development corporation shall consist of nineteen directors as follows:

(a) notwithstanding the provisions of section 12 of section 1 of chapter 174 of the laws of 1968, the chairman of the New York state urban development corporation; the commissioner of housing and community renewal; the superintendent of banks; the superintendent of insurance; the borough president of the borough of Queens; and one director upon appointment by the mayor of the city of New York;

(b) three directors appointed by the governor, who shall be directors of the New York state urban development corporation;

(c) six directors appointed by the governor, who shall be residents of the Flushing Meadow-Corona Park community or who shall represent a business interest in such community; and

(d) two directors appointed by the speaker of the assembly and two directors appointed by the temporary president of the senate.

3. Of the six directors initially appointed pursuant to paragraph (c) of subdivision 2 of this section, two shall serve for a term of one year, two shall serve for a term of two years, one shall serve for a term of three years, and one shall serve for a term of four years. All successors shall serve for terms of four years each. Vacancies occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as original appointments.

4. The governor shall appoint the director appointed for an initial term of four years pursuant to subdivision 3 of this section as the chair of the Flushing Meadow-Corona Park community development corporation.

5. Directors of the Flushing Meadow-Corona Park community development corporation shall serve without salary or other compensation, but each director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of his or her official duties. The functions of the Flushing Meadow-Corona Park community development corporation shall be vested in and be exercised by the governing body at a meeting duly called and held where a quorum of eleven directors is present. No action shall be taken except upon the favorable vote of at least eleven members. The bylaws of the Flushing Meadow-Corona Park community development corporation shall provide for the appointment by directors serving pursuant to paragraph (a) of subdivision 2 of this section, of designees to serve in their place. Notwithstanding any inconsistent provisions of law, general, special or local, no officer or employee of the state or of any civil division thereof, shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of membership on the corporation created by this act.

6. The directors may appoint and at pleasure remove an executive director, upon recommendation of the chair. The directors may appoint such additional officers and employees as deemed necessary and may determine and fix their qualifications, duties and compensation. The Flushing Meadow-Corona Park community development corporation may delegate to one or more of its directors, officers, agents, or employees any such functions and duties as it may deem proper.

7. The Flushing Meadow-Corona Park community development corporation shall exercise the following functions and duties:

(a) to formulate and implement a comprehensive development program for the Flushing Meadow-Corona Park community;

(b) to promote effective community participation, representation and support for such program;

(c) to identify and recommend projects which may be undertaken in cooperation with the Flushing Meadow-Corona Park community;

(d) to provide assistance to not-for-profit organizations engaged in economic development, housing development and cultural and recreational development in the Flushing Meadow-Corona Park community;

(e) to evaluate ongoing projects of the New York state urban development corporation in the Flushing Meadow-Corona Park community, to make recommendations with respect to such projects, and to cooperate in the delivery of development programs agreed upon by the New York state urban development corporation and various community organizations;

(f) to review and make recommendations with respect to any project proposed by the New York state urban development corporation in the Flushing Meadow-Corona Park community; and

(g) to initiate development projects within the Flushing Meadow-Corona Park community designed to foster economic growth and community revitalization.

8. Upon an appropriation of state funds, the chair of the Flushing Meadow-Corona Park community development corporation shall submit an annual budget to the directors, and upon approval by the directors, transmit the annual budget to the director of the budget, the chairman of the assembly ways and means committee and the chairman of the senate finance committee.

9. On or before September 1, 2011, and annually thereafter, the Flushing Meadow-Corona Park community development corporation shall submit a report to the director of the budget, the chairman of the assembly ways and means committee and the chairman of the senate finance committee on the operations and accomplishments of the Flushing Meadow-Corona Park community development corporation. Such report shall include:

(a) a summary of projects initiated by the Flushing Meadow-Corona Park community development corporation or undertaken by or on behalf of the New York state urban development corporation, the division of housing and community renewal and other federal, state, regional or community development organizations; and

(b) a financial audit of the corporation, including receipts and expenditures during the preceding fiscal year in accordance with categories established for the corporation's operating and capital outlay purposes; assets and liabilities of the corporation at the end of the fiscal year, including the status of any reserve, special or other funds; and a schedule of the outstanding financial obligations at the end of the fiscal year, together with the amounts incurred or redeemed. The audit to be included with the report due on or before September 1, 2011, and every two years thereafter, shall also include a comprehensive management audit.

10. On or before December 31, 2011 and on September first every two years thereafter, the Flushing Meadow-Corona Park community development corporation shall submit to the director of the budget, the speaker of the assembly and the temporary president of the senate an evaluation of the effectiveness of each component of the comprehensive development program undertaken by the Flushing Meadow-Corona Park community development corporation. The Flushing Meadow-Corona Park community development corporation shall select the program evaluator through a request for

proposal process. Such evaluation shall make recommendations for improvements which would make the development program of the Flushing Meadow-Corona Park community development corporation more effective.

S 3. Subdivision (b) of section 960 of the general municipal law is amended by adding a new paragraph (xiv) to read as follows:

(XIV) UPON THE EFFECTIVE DATE OF THIS PARAGRAPH, WILLETS POINT, AS DEFINED IN SECTION ONE OF A CHAPTER OF THE LAWS OF TWO THOUSAND NINE THAT ADDED THIS PARAGRAPH, SHALL BE DESIGNATED AN EMPIRE ZONE AND SHALL BE CONSIDERED AN INVESTMENT ZONE, AS DEFINED UNDER SECTION NINE HUNDRED FIFTY-SEVEN OF THIS ARTICLE. PROVIDED HOWEVER, SUCH ZONE SHALL BE LIMITED TO THE AREA DEFINED IN SECTION ONE OF A CHAPTER OF THE LAWS OF TWO THOUSAND NINE THAT ADDED THIS PARAGRAPH. SUCH EMPIRE ZONE SHALL BE ADMINISTERED BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND SHALL HAVE TO FOLLOW ALL APPLICABLE SECTIONS OF THIS ARTICLE.

S 4. This act shall take effect January 1, 2010.