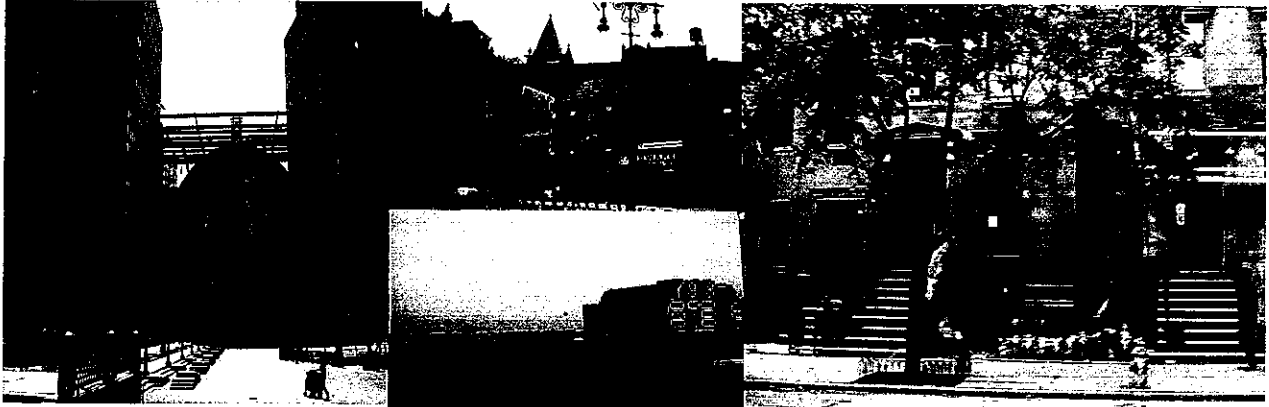


**Amended and Restated
Resolution of the Council
The City of New York
Fixing the Tax Rate for the Fiscal Year 2009
Adopted December 18, 2008
Upon the Recommendation of the
Committee on Finance of the Council**

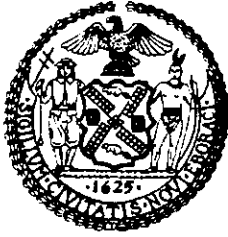


Hon. Christine C. Quinn
Speaker of the Council

Hon. David I. Weprin, Chair
Finance Committee

Preston Niblack, Director
Nadine Felton, Assistant Director, Revenue
New York City Council, Finance Division





REPORT OF THE
COMMITTEE ON FINANCE

FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2008 AND ENDING ON JUNE 30, 2009, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK AND PROVIDING THE AMOUNTS NECESSARY FOR THE ADDITIONAL SUPPORT OF THE GOVERNMENT AND THE COUNTIES THEREIN AND FOR PAYMENT OF THE INDEBTEDNESS THEREOF BY THE LEVY OF ADDITIONAL TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK FOR THAT PERIOD OF FISCAL YEAR 2009 BEGINNING JANUARY 1, 2009 AND ENDING JUNE 30, 2009.

Introduction. On May 1, 2008, the Mayor submitted the executive budget for Fiscal 2009 to the Council pursuant to Section 249 of the Charter. On June 29, 2008, the Council adopted the budget for Fiscal 2009 pursuant to Section 254 of the Charter (the "Fiscal 2009 Budget"). Also on June 29, 2008, pursuant to Section 1516 of the Charter, the Council adopted a tax fixing resolution (the "Tax Fixing Resolution") fixing the annual real property tax rates immediately upon the approval of the Fiscal 2009 Budget. In the resolution, captioned above, the Council fixes the real property tax rates, amending and restating the Tax Fixing Resolution to reflect an additional levy for the period of the Fiscal Year 2009 beginning on January 1, 2009 and ending on June 30, 2009, as described in greater detail below, and authorizes the levy of real property taxes for Fiscal 2009.

On December 18, 2008, the Mayor submitted a request to modify the Fiscal 2009 Budget pursuant to section 107(e) of the Charter of the City of New York. In addition, on December 18, 2008 the Mayor submitted to the Council an amended statement setting forth the amount of the Fiscal 2009 Budget as modified by the Council (the "Fiscal 2009 Budget as Modified") and an amended estimate of the probable amount of receipts into the City treasury during Fiscal 2009.

Fixing of Real Property Tax Rates for Fiscal 2009

a. The Tax Fixing Resolution in Accordance with the State Real Property Tax Law

In the Tax Fixing Resolution adopted on June 29, 2008, the Council determined the amount of the real property tax levy for Fiscal 2009, pursuant to the provisions of Section 1516 of the Charter, in the following manner. (1) First, the Council acknowledged the amount of the Fiscal 2009 Budget to be \$59,169,332,665, as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2009 Budget Amount"). (2) The Council then acknowledged the estimate of the probable amount of all non-property tax revenues to be \$45,386,932,665, as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2009 Revenue Estimate"). (Attached hereto as Exhibit A is a description of the Fiscal 2009 Revenue Estimate, detailing all sources of revenue exclusive of real property taxes.) (3) Pursuant to Section 1516 of the Charter, the Council finally determined the net

amount required to be raised by tax on real property to be \$13,782,400,000, by subtracting the amount of the Fiscal 2009 Revenue Estimate from the Fiscal 2009 Budget Amount.

In order to achieve a real property tax yield of \$13,782,400,000, however, due to provision for uncollectible taxes and refunds and collection of levies from prior years equal in the aggregate to \$1,545,107,366, the Council determined that a real property tax levy of \$15,327,507,366 (the "Original Fiscal 2009 Levy") was required. On June 29, 2008 the Council determined that such amount, levied at rates on the classes of real property as further described below, would produce a balanced budget within generally accepted accounting principles for municipalities.

Authorizing and Fixing the Real Property Tax Rates. After having determined the amount of the real property tax levy, the Council authorizes and fixes the real property tax rates. On June 9, 2008, the Commissioner of the Department of Finance (the "Commissioner") delivered the certified assessment rolls* for all real property assessable for taxation in the City in each borough thereof for Fiscal 2009 to the Council, pursuant to Section 1514 of the Charter (the "Fiscal 2009 Assessment Rolls"). On June 29, 2008, the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2009 pursuant to Section 1803-a(1), Real Property Tax Law (the "Current Base Proportion Resolution"). On June 29, 2008, pursuant to Section 1803-a, Real Property Tax Law, the Council adopted a resolution in which the Council adjusted the current base proportions of each class of real property in the City for Fiscal 2009, to reflect the additions to, and full or partial removal from, the Fiscal 2009 Assessment Rolls (the "Adjusted Base Proportion Resolution").

The following sections describe the determinations the Council must make before it fixes the real property tax rates and the process by which the Council fixes the real property tax rates.

Assessed Valuation Calculations. In the Tax Fixing Resolution, the Council sets out the assessed valuation calculations of taxable real property in the City by class within each borough of the City. Next, the Council sets out the assessed valuation (1) by class of real property for the purpose of taxation (exclusive of the assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes) in each borough of the City and (2) by class of veterans' real property subject to tax for school purposes in each borough of the City.

Compliance with Constitutional Operating Limit Provisions. In the Tax Fixing Resolution, the Council also provides evidence of compliance with constitutional operating limit provisions. The Council determines that the amount to be raised by tax on real property for the Fiscal 2009 Budget does not exceed the limit imposed by Section 10, Article VIII of the Constitution of the State of New York, as amended, and Article 12-A, Real Property Tax Law (the "Operating Limit Provisions"). The Operating Limit Provisions require that the City not levy taxes on real property in any fiscal year in excess of an amount equal to a combined total of two and one-half percent (2 ½%) of the average full valuation of taxable real property, determined by taking the assessed valuations of taxable real property on the last completed assessment roll and the four (4) preceding assessment rolls of the City and applying thereto the special equalization ratio which such assessed valuations of each such roll bear to the full valuations as fixed and determined by the State Office of Real Property Services ("ORPS"), minus (i) the amount to be raised by tax on real property in such year for the payment of the interest on and the redemption of certificates or other evidence of indebtedness described in the Constitution and (ii) the aggregate amount of business improvement district charges exclusive of debt service.

* The Commissioner of the Department of Finance initially released the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2009 on May 27, 2008. On June 9, 2008, the Commissioner of the Department of Finance released the revised certified assessment rolls for all real property assessable for taxation in the City in each borough for Fiscal 2009, herein referred to as the "Fiscal 2009 Assessment Rolls".

Adjusted Base Proportions: The Tax Fixing Resolution sets forth the adjusted base proportions for Fiscal 2009, pursuant to the Adjusted Base Proportion Resolution, to be used in determining the Fiscal 2009 tax rates for the four classes of properties.

Tax Rates on Adjusted Base Proportions. Tax Fixing Resolution, the Council authorizes and fixes, pursuant to Section 1516 of the Charter, the rates of tax for Fiscal 2009 by class (1) upon each dollar of assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.15605
All Other Residential Real Property.....	0.12139
Utility Real Property	0.11698
All Other Real Property.....	0.09870

and (2) upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.09870
All Other Residential Real Property.....	0.07705
Utility Real Property	0.00000
All Other Real Property.....	0.06271

b. The Additional Real Property Tax Levy and Rates for Fiscal 2009

On December 18, 2008 the Mayor submitted an amended statement setting forth the amount of the Fiscal 2009 budget as modified by the Council (the "Fiscal 2009 Budget as Modified") and an amended estimate of the probable amount of receipts in to the city treasury during Fiscal 2009 from all the sources of revenue of the general fund, including revenue derived from the levy of real property taxes authorized on June 29, 2008, and all receipts other than those of the general fund and taxes on real property, a copy of which is attached hereto as Exhibit B.

Also on December 18, 2008 the Council adopted Int. No. 887, a local law introduced at the request of the Mayor, which authorizes the Council to set tax rates in order to collect an additional levy for the period of Fiscal 2009 beginning January 1, 2009 and ending June 30, 2009.

In the Tax Fixing Resolution captioned above, the Council determines the amount of the Additional Real Property Tax Levy for Fiscal 2009, pursuant to the provisions of Section 1516 of the Charter, in the following manner. (1) First, the Council acknowledges the amount of the Fiscal 2009 Budget as Modified to be \$60,213,759,854, as set forth in the communication from the Mayor received on December 18, 2008 pursuant to Section 1515(a) of the Charter. (2) The Council then acknowledges the amended estimate of the probable amount of all non-property tax revenues and the revenue from the levy of real property taxes authorized on June 29, 2008 to be \$59,637,781,747, as set forth in the communication from the Mayor. (Attached hereto as Exhibit B is a description of the Fiscal 2009 Amended Revenue Estimate, detailing all sources of revenue inclusive of real property taxes.) (3) Pursuant to Section 1516 of the Charter,

the Council finally determines the net amount required to be raised by additional tax on real property to be \$575,978,107, by subtracting the amount of the Fiscal 2009 Amended Revenue Estimate from the Fiscal 2009 Budget as Modified. In order to achieve a real property tax yield of \$575,978,107, the Council must account for uncollectible taxes and other adjustments in the amount of \$0, and the Council must authorize an additional levy of \$575,978,107.

After determining the amount of the additional levy, the Council then determines that the amount to be raised by real property tax, including the additional amount, does not exceed the Operating Limit Provisions of the State Constitution (see above for a detailed description of the Operating Limit Provisions).

The Council then determines the additional tax rates on adjusted base proportions pursuant to section 1516 of the Charter and Int. No. 887 for the period of Fiscal 2009 beginning on January 1, 2009 and ending on June 30, 2009, (1) by class as fixed in cents and thousandths of a cent per dollar of assessed valuation to be as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.01182
All Other Residential Real Property.....	0.00914
Utility Real Property	0.00879
All Other Real Property.....	0.00742

and (2) upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.00000
All Other Residential Real Property.....	0.00000
Utility Real Property	0.00000
All Other Real Property.....	0.00000

The Council then states the combined tax rates for the period of Fiscal 2009 beginning on January 1, 2009 and ending June 30, 2009 are as follows:

(1)By class as fixed in cents and thousandths of a cent per dollar of assessed valuation to be as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.16787
All Other Residential Real Property.....	0.13053
Utility Real Property	0.12577
All Other Real Property.....	0.10612

and (2) upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property.....	0.09870
All Other Residential Real Property.....	0.07705
Utility Real Property.....	0.00000
All Other Real Property.....	0.06271

Authorization of the Levy of Property Taxes for Fiscal 2009. The Council authorizes and directs the Commissioner, pursuant to Section 1517 of the Charter, to set down in the Fiscal 2009 Assessment Rolls, opposite to the several sums set down as the valuation of real property, the respective sums to be paid as a tax thereon and add and set down the aggregate valuations of real property in the boroughs of the City and send a certificate of such aggregate valuation in each such borough to the State Comptroller. The Tax Fixing Resolution then requires the City Clerk to procure the proper warrants, in the form attached thereto, such warrants to be signed by the Public Advocate and countersigned by the City Clerk.

The Tax Fixing Resolution shall remain in full force and effect, and as hereby amended and restated shall take effect immediately, except that the provisions of this resolution relating to the additional levy and additional tax rates, shall take effect upon the enactment of Int. No. 887 into law and shall be retroactive to, and shall be deemed to have been in full force and effect as of December 1, 2008.

Accordingly, the Committee on Finance recommends adoption of the amended and restated Tax Fixing Resolution.

EXHIBIT A

**ESTIMATED FISCAL YEAR 2009 REVENUE
OTHER THAN REAL PROPERTY TAXES**

Summarizing by Source of Revenue

<u>Source of Revenue</u>	<u>Estimate of Revenue</u>
Taxes (excluding Real Estate Taxes):	
General Sales (1)	\$4,666,000,000
Personal Income (Excluding Transitional Finance Authority Debt)	7,351,206,000
General Corporation	2,623,000,000
Commercial Rent	566,000,000
Utility	377,000,000
Banking Corporation	647,000,000
Mortgage Recording	871,000,000
Unincorporated Business	1,668,000,000
Real Property Transfer	1,063,000,000
Cigarette	102,000,000
Hotel Occupancy	394,000,000
Other:	
Penalty and Interest	38,000,000
Off-Track Betting	0
Off-Track Betting Surtax	4,250,000
Payments in Lieu of Tax	170,300,000
Section 1127 (Waiver)	92,000,000
Beer and Liquor	23,000,000
Auto Use	28,000,000
Commercial Motor Vehicle	46,000,000
Taxicab License Transfer	7,000,000
Liquor License Surcharge	4,000,000
Horse Race Admissions	35,000
Other Refunds	<u>(24,000,000)</u>
State Tax Relief Program ("STAR") for Personal Income and Real Property Taxes.....	<u>1,254,000,000</u>
	<u>21,970,791,000</u>
Miscellaneous Revenue:	
Licenses, Franchises, etc.....	459,582,676
Interest Income.....	85,400,000
Charges for Services.....	590,808,633
Water and Sewer Charges.....	1,318,567,488
Rental Income.....	217,711,000
Fines and Forfeitures.....	748,191,943
Miscellaneous.....	<u>712,534,976</u>
	<u>4,132,796,716</u>

EXHIBIT A
ESTIMATED FISCAL YEAR 2009 REVENUE
OTHER THAN REAL PROPERTY TAXES
Summarizing by Source of Revenue

Source of Revenue	Estimate of Revenue
Grants:	
Federal	5,365,794,197
State	11,526,523,060
Provision for Disallowances	<u>(15,000,000)</u>
	<u>16,877,317,257</u>
Unrestricted State and Federal Aid:	
N.Y. State Revenue Sharing	327,389,668
Other Unrestricted Aid	<u>12,407,069</u>
	<u>339,796,737</u>
Transfer from Capital Funds	<u>463,343,797</u>
Tax Audit Revenue and Other Initiatives.....	<u>577,135,000</u>
Tax Program.....	<u>(3,046,000)</u>
Other Categorical Grants.....	<u>1,028,798,158</u>
Amount of Estimated Revenue other than Real Estate Taxes.....	<u>\$45,386,932,665</u>

FOOTNOTES

(1) Fiscal 2009 administrative expenses ("State Oversight Retention Requirements") of the New York State Financial Control Board ("FCB") and the Office of the State Deputy Comptroller ("OSDC") have been treated only for accounting and financial reporting purposes of the City as if they were City expenditures. Consequently, these estimates of General Fund receipts for Fiscal 2009 do not reflect anticipated reductions in amounts to be received by the City from the four percent sales tax levied in the City (the "City Sales Tax"). In fact, the State Oversight Retention Requirements are to be retained by the State from the City Sales Tax and will therefore reduce the funds which are paid to the City from the City Sales Tax. This presentation of State Oversight Retention Requirements (instead of being shown as a reduction in City Sales Tax) has no bearing on the statutory relationship between the City, on the one hand, and the FCB and OSDC, on the other hand.

EXHIBIT B

**ESTIMATED FISCAL YEAR 2009 REVENUE
OTHER THAN REAL PROPERTY TAXES
AND REVENUE FROM LEVY OF
REAL PROPERTY TAXES ALREADY AUTHORIZED
Summarizing by Source of Revenue**

Source of Revenue	Estimate of Revenue
Taxes (excluding Real Estate Taxes):	
General Sales (1)	\$4,749,000,000
Personal Income (Excluding Transitional Finance Authority Debt)	7,186,206,000
General Corporation	2,519,000,000
Commercial Rent	556,000,000
Utility	388,000,000
Banking Corporation	517,000,000
Mortgage Recording	795,000,000
Unincorporated Business	1,668,000,000
Real Property Transfer	1,030,000,000
Cigarette	102,000,000
Hotel Occupancy	389,000,000
Other:	
Penalty and Interest	40,000,000
Off-Track Betting	0
Off-Track Betting Surtax	4,250,000
Payments in Lieu of Tax	201,300,000
Section 1127 (Waiver)	102,500,000
Beer and Liquor	23,000,000
Auto Use	28,000,000
Commercial Motor Vehicle	44,400,000
Taxicab License Transfer	7,000,000
Liquor License Surcharge	4,800,000
Horse Race Admissions	35,000
Other Refunds	<u>(24,000,000)</u>
State Tax Relief Program ("STAR") for Personal Income and Real Property Taxes.....	<u>1,254,000,000</u>
	<u>21,584,491,000</u>
Miscellaneous Revenue:	
Licenses, Franchises, etc.....	458,305,176
Interest Income.....	90,240,000
Charges for Services.....	606,736,133
Water and Sewer Charges.....	1,307,109,868
Rental Income.....	219,281,000
Fines and Forfeitures.....	753,191,943
Miscellaneous.....	<u>703,045,976</u>
	<u>4,137,910,096</u>

EXHIBIT B

**ESTIMATED FISCAL YEAR 2009 REVENUE
OTHER THAN REAL PROPERTY TAXES
AND REVENUE FROM LEVY OF
REAL PROPERTY TAXES ALREADY AUTHORIZED
Summarizing by Source of Revenue**

All Sources of Revenue (Excluding Real Estate Taxes)	Estimate of Revenue
Grants:	
Federal	5,898,516,269
State	11,667,003,386
Provision for Disallowances	<u>(15,000,000)</u>
	<u>17,550,519,655</u>
Unrestricted State and Federal Aid:	
N.Y. State Revenue Sharing	327,389,668
Other Unrestricted Aid	<u>12,407,069</u>
	<u>339,796,737</u>
Transfer from Capital Funds	<u>463,343,797</u>
Tax Audit Revenue and Other Initiatives.....	<u>677,135,000</u>
Tax Program.....	<u>(1,446,000)</u>
Other Categorical Grants.....	<u>1,103,631,462</u>
Amount of Estimated Revenue other than Real Estate Taxes.....	<u>\$45,855,381,747</u>
Revenue from Levy of Real Property Taxes Already Authorized.....	<u>13,782,400,000</u>
Amount of Estimated Revenue other than Real Estate Taxes and Revenue from Levy of Real Property Taxes Already Authorized.....	<u>\$59,637,781,747</u>

FOOTNOTES

(1) Fiscal 2009 administrative expenses ("State Oversight Retention Requirements") of the New York State Financial Control Board ("FCB") and the Office of the State Deputy Comptroller ("OSDC") have been treated only for accounting and financial reporting purposes of the City as if they were City expenditures. Consequently, these estimates of General Fund receipts for Fiscal 2009 do not reflect anticipated reductions in amounts to be received by the City from the four percent sales tax levied in the City (the "City Sales Tax"). In fact, the State Oversight Retention Requirements are to be retained by the State from the City Sales Tax and will therefore reduce the funds which are paid to the City from the City Sales Tax. This presentation of State Oversight Retention Requirements (instead of being shown as a reduction in City Sales Tax) has no bearing on the statutory relationship between the City, on the one hand, and the FCB and OSDC, on the other hand.

RESOLUTION NO. 1741

By Council Member David I. Weprin

RESOLUTION AMENDING AND RESTATING THE RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2008 AND ENDING ON JUNE 30, 2009, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE CHARTER OF THE CITY OF NEW YORK AND PROVIDING THE AMOUNTS NECESSARY FOR THE ADDITIONAL SUPPORT OF THE GOVERNMENT AND THE COUNTIES THEREIN AND FOR PAYMENT OF THE INDEBTEDNESS THEREOF BY THE LEVY OF ADDITIONAL TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK FOR THAT PERIOD OF FISCAL YEAR 2009 BEGINNING JANUARY 1, 2009 AND ENDING JUNE 30, 2009.

Whereas, on May 1, 2008, pursuant to the Section 249 of the Charter of the City of New York ("the Charter"), the Mayor of the City of New York (the "Mayor") submitted to the Council of the City of New York (the "Council"), the executive budget for the support of the government of the City of New York and the counties therein (collectively, the "City") for the fiscal year beginning on July 1, 2008 and ending on June 30, 2009 ("Fiscal 2009"); and

Whereas, on June 9, 2008, pursuant to Section 1514 of the Charter, the Commissioner of the Department of Finance (the "Commissioner") delivered to the Council, the certified assessment rolls * for all real property assessable for taxation in the City in each borough thereof for Fiscal 2009, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516, Real Property Tax Law (the "Fiscal 2009 Assessment Rolls"); and

Whereas, on June 29, 2008, the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2009 pursuant to Section 1803-a(1), Real Property Tax Law (the "Current Base Proportion Resolution"); and

Whereas, on June 29, 2008, pursuant to Section 1803-a, Real Property Tax Law, the Council adopted a resolution in which the Council adjusted the current base proportion of each class of real property in the City for Fiscal 2009, to reflect the additions to, and full or partial removal from, the Fiscal 2009 Assessment Rolls (the "Adjusted Base Proportion Resolution"); and

Whereas, on June 29, 2008, pursuant to Section 254 of the Charter, the Council adopted the budget for the support of the government of the City and for the payment of indebtedness thereof for Fiscal 2009 (the "Fiscal 2009 Budget"); and

Whereas, on June 29, 2008, pursuant to Section 1515(a) of the Charter, the Mayor prepared and submitted to the Council, a statement setting forth the amount of the Fiscal 2009 Budget as approved by the Council (the "Fiscal 2009 Budget Statement") and an estimate of the probable amount of receipts into the City treasury during Fiscal 2009 from all the sources of revenue of the general fund and all receipts other than those of the general fund and taxes on real property, a copy of which is attached hereto as Exhibit A (the "Fiscal 2009 Revenue Estimate"); and

** The Commissioner of the Department of Finance initially released the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2009 on May 27, 2008. On June 9, 2008, the Commissioner of the Department of Finance released the revised certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2009, herein referred to as the "Fiscal 2009 Assessment Rolls".*

Whereas , on June 29, 2008, pursuant to Section 1516 of the Charter, the Council adopted a resolution to provide the amounts necessary for the support of the government of the City, among other things, by the levy of taxes on real property in the City (the "Tax Fixing Resolution"); and

Whereas, due to the deepening economic crisis in the credit markets and general economy after September 15, 2008, the city sustained a loss of revenues; and

Whereas, pursuant to section 107(e) of the Charter, on December 18, 2008, the Mayor submitted to the Council a revenue modification showing a decrease in non-property tax revenues; and

Whereas, the Mayor has requested as a source of funds necessary to balance the budget, an increase in the real property tax; and

Whereas, on December 18 , 2008 the Council approved the revenue modification to the Fiscal 2009 Budget; and

Whereas, on December 18, 2008, pursuant to Section 1515(a) of the Charter, the Mayor prepared and submitted to the Council an amended statement setting forth the amount of the Fiscal 2009 Budget as modified by the Council (the "Fiscal 2009 Budget as Modified") and an amended estimate of the probable amount of revenues (including sources of revenue from the levy of real property taxes for Fiscal 2009 authorized by the Council on June 29, 2008) for Fiscal 2009, a copy of which is attached hereto as Exhibit B (the "Amended Fiscal 2009 Revenue Estimate"); and

Whereas, the Council hereby finds that an additional amount must be raised by the levy of taxes on real property that requires further amending of the Tax Fixing Resolution.

NOW THEREFORE, be it resolved by The Council of The City of New York as follows:

Section 1. Fixing of Real Property Tax Rates for Fiscal 2009.

a. The Tax Fixing Resolution in Accordance with the State Real Property Tax Law.

(i) The total amount of the Fiscal 2009 Budget as adopted by the Council on June 29, 2008 as set forth in the Fiscal 2009 Budget Statement was \$59,169,332,665.

(ii) The estimate of the probable amount of receipts into the City treasury during Fiscal 2009 from all the sources of revenue of the general fund and all receipts other than those of the general fund and taxes on real property as set forth in the Fiscal 2009 Revenue Estimate submitted to the Council on June 29, 2008 was \$45,386,932,665.

(iii) Pursuant to Section 1516 of the Charter, the Council upon adoption of the Fiscal 2009 Budget on June 29, 2008, determined that the amount required to be raised by tax on real property be \$13,782,400,000, derived from deducting the amount set forth in the Fiscal 2009 Revenue Estimate from the amount of the Fiscal 2009 Budget.

(iv) In order to achieve a real property tax yield of \$13,782,400,000, due to provision for uncollectible taxes and refunds and collection of levies from prior years, on June 29, 2008 the Council determined that a real property tax levy of \$15,327,507,366 would be required, calculated as follows:

Not Subject to the 2 1/2 Percent Tax Limitation:

For Debt Service:
Funded Debt \$1,051,087,194

Amount Required for Debt Service and Financing as:

Provision for Uncollectible
Taxes \$105,174,867
Provision for Refunds \$27,835,996
Collection of Prior Years'
Levies (\$15,176,337) \$1,168,921,720

Subject to the 2 1/2 Percent Tax Limitation:

For Debt Service:
Temporary Debt
Interest on Temporary Debt \$0
For General Operating Expenses:
Funds Required \$12,731,312,806

Amount Required for Debt Service and Operating Expenses as:

Provision for Uncollectible
Taxes \$1,273,932,499
Provision for Refunds \$337,164,004
Collection of Prior Years'
Levies (\$183,823,663) 14,158,585,646

TOTAL REAL PROPERTY TAX LEVY

\$15,327,507,366

On June 29, 2008, the Council determined that such amount would produce a balanced budget within generally accepted accounting principles for municipalities.

(v) On June 29, 2008, the Council determined that the real property tax levy, net of provision for uncollectible taxes and refunds and the collection of levies from prior years, determined pursuant to clause (iv) above would be applied as follows:

(A) For payment of debt service not subject to the 2 1/2 percent tax limitation: \$1,051,087,194

(B) For debt service on short-term debt subject to the 2 1/2 percent tax limitation: \$0

(C) To provide for conducting the public business of the City and to pay the appropriated expenditures for the counties therein as set forth in the Fiscal 2009 Budget in excess of the amount of revenues estimated in the Fiscal 2009 Revenue Estimate: \$12,731,312,806

(vi) Assessed Valuation Calculations of Taxable Real Property in the City. The Fiscal 2009 Assessment Rolls set forth the following valuations by class within each borough of the City.

(A) The assessed valuation by class of real property for the purpose of taxation in each borough of the City, exclusive of the assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes is set forth below:

Assessment by Class of Property Subject to Taxation for All Purposes					
Borough	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property	Assessment of Property Subject to Taxation for All Purposes
Manhattan	\$618,609,249	\$31,695,984,706	\$3,561,746,106	\$46,336,228,455	\$82,212,568,516
The Bronx	1,231,235,630	3,060,201,171	1,165,237,378	2,827,952,470	8,284,626,649
Brooklyn	4,302,385,884	5,998,912,599	2,153,694,153	5,041,450,647	17,496,443,283
Queens	6,144,777,460	5,879,286,676	2,124,178,747	7,337,940,108	21,486,182,991
Staten Island	2,277,708,546	271,032,140	584,256,519	1,365,598,784	4,498,595,989
TOTAL	\$14,574,716,769	\$46,905,417,292	\$9,589,112,903	\$62,909,170,464	\$133,978,417,428

(B) The assessed valuation by class of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes in each borough of the City is set forth below:

Assessment by Class of Veterans' Property Exempted under State Law from Tax for General Purposes but Subject to Tax for School Purposes					
Borough	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property	Total Assessment of Veterans' Property Exempted under State Law from Tax for General Purposes but Subject to Tax for School Purposes
Manhattan	\$892,439	\$83,971,150	\$0	\$54,431	\$84,918,020
The Bronx	13,604,281	3,622,897	0	6,075	17,233,253
Brooklyn	41,395,412	9,627,219	0	75,844	51,098,475
Queens	80,344,185	36,324,335	0	91,027	116,759,547
Staten Island	45,229,265	1,054,204	0	21,689	46,305,158
TOTAL	\$181,465,582	\$134,599,805	\$0	\$249,066	\$316,314,453

*Includes condominiums of three stories or fewer which have always been condominiums.

(vii) Chapter 389 of the Laws of 1997 established a new real property tax exemption providing school tax relief (Section 425, Real Property Tax Law). Pursuant to subdivision 8 of Section 425, the assessment by tax class of property subject to taxation for all purposes and the assessment by tax class of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes has been increased by the amounts shown below for purposes of: (a) determining the City's tax and debt limits pursuant to law; (b) determining the amount of taxes to be levied; (c) calculating the tax rates by class; and (d) apportioning taxes among classes in a special assessing unit under Article 18, Real Property Tax Law.

(A) The assessed valuation by class of real property for the purpose of taxation in each borough of the City exempted under Section 425, Real Property Tax Law, exclusive of the assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes is set forth below:

Assessment by Class of Property Exempted under Section 425, Real Property Tax Law, for All Purposes				
Borough	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property**	All Other Real Property	Exempted under Section 425, Real Property Tax Law, for All Purposes
Manhattan	\$3,977,861	\$160,819,335	\$216,155	\$165,013,351
The Bronx	57,217,896	22,435,491	55,418	79,708,805
Brooklyn	183,053,799	60,076,851	308,707	243,439,357
Queens	265,149,913	113,884,729	368,985	379,403,627
Staten Island	109,975,339	4,060,559	78,974	114,114,872
TOTAL	\$619,374,808	\$361,276,965	\$1,028,239	\$981,680,012

(B) The assessed valuation by class of veterans' real property exempt under state law from tax for general purposes and exempt under Section 425, Real Property Tax Law, for school purposes in each borough of the city is set forth below:

Assessment by Class of Veterans' Property Exempted under Section 425, Real Property Tax Law for School Purposes				
Borough	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property**	All Other Real Property	Total Assessment of Veterans' Property Exempted under Section 425, Real Property Tax Law, for School Purposes
Manhattan	\$1,200	\$4,858	\$0	\$6,058
The Bronx	17,072	6,311	0	23,383
Brooklyn	26,030	8,546	667	35,243
Queens	16,255	10,578	317	27,150
Staten Island	10,732	1,341	0	12,073
TOTAL	\$71,289	\$31,634	\$984	\$103,907

*Includes condominiums of three stories or fewer which have always been condominiums.

** Only residential real property held in the cooperative or condominium form of ownership qualifies for the real property tax exemption providing school tax relief.

(viii) Operating Limit Provisions. On June 29, 2008, the Council determined that the amount to be raised by tax on real property for the Fiscal 2009 Budget did not exceed the limit imposed by Section 10, Article VIII of the Constitution of the State of New York, as amended, and Article 12-A, Real Property Tax Law (the "Operating Limit Provisions"). *

(A) The Operating Limit Provisions require that the City not levy taxes on real property in any fiscal year in excess of an amount equal to a combined total of two and one-half percent (2 1/2 %) of the average full valuation of taxable real property, less (i) the amount to be raised by tax on real property in such year for the payment of the interest on and the redemption of certificates or other evidence of indebtedness described therein and (ii) the aggregate amount of district charges, exclusive of debt service, imposed in such year by business improvement districts pursuant to Article 19-A, General Municipal Law.

(B) The Operating Limit Provisions require that average full valuations of taxable real property be determined by taking the assessed valuations of taxable real property on the last completed assessment roll and the four (4) preceding assessment rolls of the City and applying thereto the special equalization ratios which such assessed valuations of each such roll bear to the full valuations as fixed and determined by the State Office of Real Property Services ("ORPS") pursuant to Section 1251, Real Property Tax Law, as shown below:

Fiscal Year	Assessed Valuations	Assessment Percentage	Full Valuations
2005.....	\$103,676,971,611	0.1848	\$561,022,573,653
2006.....	111,397,956,330	0.1812	614,779,008,444
2007.....	116,477,764,261	0.1603	726,623,607,367
2008.....	125,777,268,853	0.1640	766,934,566,177
2009.....	134,294,731,881	0.1577	851,583,588,339
		<i>AVERAGE</i>	<i>\$704,188,668,796</i>
2 1/2 percent thereof for Fiscal 2009			\$17,604,716,720
Less debt service subject to the 2 1/2 percent tax limitation:			
Temporary debt			
Interest on temporary debt			\$0
Less aggregate amount of district charges subject to the 2 1/2 percent tax limitation **			<u>(\$78,989,485)</u>
Constitutional amount subject to the limitation which may be raised for other than debt service in accordance with the provisions of Section 10, Article VIII, of the State Constitution.....			<u>\$17,525,727,235</u>

* The amount to be raised by tax on real property for purposes of the Operating Limit determination is equal to the real property tax levy as reduced by the net reductions in amounts collected as authorized by New York State law.

** Since the adoption of the Tax Fixing Resolution on June 29, 2008, Fiscal 2009 district charges of \$79,633,600 have been approved, and this is the amount used in the new determination contained in subsection b hereof that the amount to be raised by tax on real property in this amended and restated resolution is within the Operating Limit Provision.

(ix) Adjusted Base Proportions. Pursuant to the Adjusted Base Proportion Resolution, on June 29, 2008, the Council certified the following adjusted base proportions to be used in determining the Fiscal 2009 tax rates for the four classes of properties:

All One-, Two- and Three-Family Residential Real Property*.....	14.9557
All Other Residential Real Property.....	37.2143
Utility Real Property.....	7.3186
All Other Real Property.....	<u>40.5114</u>
Total.....	100.0000

*Includes condominiums of three stories or fewer which have always been condominiums.

(x) Tax Rates on Adjusted Base Proportions.

(A) Pursuant to Section 1516 of the Charter, the Council hereby authorizes and fixes the rates of tax for Fiscal 2009 (1) by class upon each dollar of assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.14409	0.11212	0.10806	0.09117
Not subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Sections 10 and 11 of the State Constitution including a reserve for uncollectible taxes.....	<u>0.01196</u>	<u>0.00927</u>	<u>0.00892</u>	<u>0.00753</u>
Decimal rate on adjusted proportion for all purposes.....	<u>0.15605</u>	<u>0.12139</u>	<u>0.11698</u>	<u>0.09870</u>

*Includes condominiums of three stories or fewer which have always been condominiums.

and (2) by class upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.09586	0.07483	0.00000	0.06091
Not subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Sections 10 and 11, of the State Constitution including a reserve for uncollectible taxes.....	<u>0.00284</u>	<u>0.00222</u>	<u>0.00000</u>	<u>0.00180</u>
Decimal rate on adjusted proportion for all veterans' property exempted under state law from tax for general purposes but subject to tax for school purposes.....	<u>0.09870</u>	<u>0.07705</u>	<u>0.00000</u>	<u>0.06271</u>

*Includes condominiums of three stories or fewer which have always been condominiums.

b. Determining the Amount of the Additional Levy Necessary, and Authorizing and Fixing Additional Tax Rates on Adjusted Base Proportions.

(i) On December 18, 2008 the Mayor submitted to the Council, pursuant to sections 107(e) and 1515(a) of the Charter, a revenue modification, and an Amended Fiscal 2009 Revenue Estimate of \$60,213,759,854, reflecting a net decrease in non-property tax revenues from the Fiscal 2009 Revenue Estimate,.

(ii) Pursuant to Section 1516 of the Charter, and Int. No. 887 adopted by the Council on December 18, 2008, the Council hereby determines that the additional amount required to be raised by tax on real property shall be \$575,978,107.

(iii) In order to achieve this additional real property tax yield of \$575,978,107, due to provision for uncollectible taxes, the Council hereby determines that an additional real property tax levy of \$575,978,107 shall be required, calculated as follows:

Subject to the 2 1/2 Percent Tax Limitation:

For Additional General Operating Expenses:	
Funds Required	\$575,978,107

Additional Amount Required for Operating Expenses as:

Provision for Uncollectible Taxes	\$0
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<i>ADDITIONAL REAL PROPERTY TAX LEVY</i>	<u>\$575,978,107</u>
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(iv) The Council hereby determines that such additional amount, levied at such rates on the classes of real property pursuant to clause (vi) below, will produce a balanced budget within generally accepted accounting principles for municipalities.

(v) Operating Limit Provisions. The Council hereby determines that the amount to be raised by tax on real property, including the additional amount to be raised by tax on real property, for the Fiscal 2009 Budget as Modified, does not exceed the Operating Limit Provisions. Such limit, as modified in the Fiscal 2009 Budget as Modified, is shown by the calculation below:

2 1/2 percent of the average full valuations of taxable real property as shown in the table in clause (viii)(A) of subdivision a hereof.....	\$17,604,716,720
Less debt service subject to the 2 1/2 percent tax limitation:	
Temporary debt	
Interest on temporary debt	\$0
Less aggregate amount of district charges subject to the 2 1/2 percent tax limitation	<u>(\$79,633,600)</u>
Constitutional amount subject to the limitation which may be raised for other than debt service in accordance with the provisions of Section 10, Article VIII, of the State Constitution.....	<u>\$17,525,083,120</u>

(vi) Additional Tax Rates on Adjusted Base Proportions

(A) Pursuant to Section 1516 of the Charter and Int. No. 887 adopted by the Council on December 18, 2008, the Council hereby authorizes and fixes the additional rates of tax for that period of Fiscal 2009 beginning January 1, 2009 and ending June 30, 2009 (1) by class upon each dollar of assessed valuation of real property subject to taxation for all purposes of, and within the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.01182	0.00914	0.00879	0.00742

*Includes condominiums of three stories or fewer which have always been condominiums.

and (2) by class upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.00000	0.00000	0.00000	0.00000

*Includes condominiums of three stories or fewer which have always been condominiums.

(vii) Combined Tax Rates for the Period of Fiscal 2009 Beginning January 1, 2009 and Ending June 30, 2009. The combined tax rates for the period of Fiscal 2009 beginning January 1, 2009 and ending June 30, 2009 (1) by class upon each dollar of assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, are as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.15591	0.12126	0.11685	0.09859
Not subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Sections 10 and 11 of the State Constitution including a reserve for uncollectible taxes.....	<u>0.01196</u>	<u>0.00927</u>	<u>0.00892</u>	<u>0.00753</u>
Decimal rate on adjusted proportion for all purposes.....	<u>0.16787</u>	<u>0.13053</u>	<u>0.12577</u>	<u>0.10612</u>

*Includes condominiums of three stories or fewer which have always been condominiums.

and (2) by class upon each dollar of assessed valuation of veterans' real property exempt under state law from tax for general purposes but subject to tax for school purposes of, and within, the city, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

	All One, Two and Three Family Residential Real Property*	All Other Residential Real Property	Utility Real Property	All Other Real Property
Subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Section 10, of the State Constitution including a reserve for uncollectible taxes.....	0.09586	0.07483	0.00000	0.06091
Not subject to the 2 1/2 percent tax limitation as authorized by Article VIII, Sections 10 and 11, of the State Constitution including a reserve for uncollectible taxes.....	<u>0.00284</u>	<u>0.00222</u>	<u>0.00000</u>	<u>0.00180</u>
Decimal rate on adjusted proportion for all veterans' property exempted under state law from tax for general purposes but subject to tax for school purposes.....	<u>0.09870</u>	<u>0.07705</u>	<u>0.00000</u>	<u>0.06271</u>

*Includes condominiums of three stories or fewer which have always been condominiums.

Section 2. Authorization of the Amendment and Restatement of the Levy of Real Property Taxes for Fiscal 2009.

a. Pursuant to Section 1517 of the Charter and Int. No. 887 adopted on December 18, 2008, the Council hereby authorizes and directs the Commissioner to (1) set down in the Fiscal 2009 Assessment Rolls, opposite to the several sums set down as the valuation of real property, an amount equal to the sum of (i) the respective sums, in dollars and cents, to be paid as a tax based upon the real property tax rates as set forth in clause (x) of subsection (a) of section one hereof, rejecting the fractions of a cent and (ii) the sums, in dollars and cents, to be paid as an additional tax necessary to raise the additional levy for that period of Fiscal 2009 beginning on January 1, 2009 and ending on June 30, 2009; and add and set down the aggregate valuations of real property in the boroughs of the City; and (2) send a certificate of such aggregate valuation in each borough to the Comptroller of the State.

b. Pursuant to Section 1518 of the Charter, immediately upon the completion of the Fiscal 2009 Assessment Rolls, the City Clerk shall procure the proper amended and restated warrants in the form attached hereto as Exhibit C to be signed by the Public Advocate of the City ("Public Advocate") and counter-signed by the City Clerk authorizing and requiring the Commissioner to collect the several sums therein mentioned according to law and immediately thereafter the Fiscal 2009 Assessment Rolls of each borough shall be delivered by the Public Advocate to the Commissioner with proper warrants, so signed and counter-signed, annexed thereto.

Section 3. Effective Date.

The Tax Fixing Resolution shall remain in full force and effect, and as hereby amended and restated shall take effect immediately, except that the provisions of this resolution relating to the additional levy and additional tax rates, shall take effect upon the enactment of Int. No. 887 into law and shall be retroactive to, and deemed to have been in full force and effect as of December 1, 2008.

EXHIBIT A

FISCAL 2009 BUDGET STATEMENT
AND FISCAL 2009 REVENUE ESTIMATE



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

June 29, 2008

To The HONORABLE COUNCIL of THE CITY OF NEW YORK

For the Expense Budget of the City of New York as adopted by the Council pursuant to Section 254 of the Charter for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009 (Fiscal Year 2009) the amount of appropriation is:

Amounts Appropriated \$59,169,332,665

The probable amounts and sources of revenues (other than Real Property Taxes) for Fiscal Year 2009, as estimated by me pursuant to Section 1515 of the Charter, are as set forth below:

Taxes (excluding Real Property Taxes)		\$21,970,791,000
Miscellaneous Revenues	\$4,132,796,716	
Grants:		
Federal	5,365,794,197	
State	11,526,523,060	
Provision for Disallowances	(15,000,000)	
Unrestricted State and Federal Aid	339,796,737	
Other Categorical Aid	1,028,798,158	
Transfer from Capital Funds	463,343,797	
Tax Audit Revenue	577,135,000	
Tax Program	<u>(3,046,000)</u>	\$23,416,141,665

Making the total amount of the Expense Budget for the Fiscal Year 2009 to be financed by Real Property Taxes (after provision for uncollectibles, refunds and collection of prior years' levies):

\$13,782,400,000

EXHIBIT A

FISCAL 2009 BUDGET STATEMENT
AND FISCAL 2009 REVENUE ESTIMATE

In order to achieve the required Real Property Tax yield of \$13,782,400,000,
a Real Property Tax levy of \$15,327,507,366 will be required:

The amount of taxes on real estate to be
levied subject to the 2-1/2 percent tax
limitation as authorized by Article VIII
Section 10 of the State Constitution
including a provision for uncollectible
taxes

\$14,158,585,646

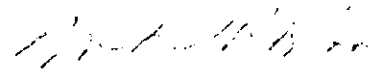
The amount of taxes on real estate to be
levied not subject to the 2-1/2 percent
tax limitation as authorized by Article
VIII Sections 10 and 11(a) of the State
Constitution including a provision for
uncollectible taxes

\$1,168,921,720

Total amount of Real Property Taxes to be
levied for the Fiscal Year 2009 is

\$15,327,507,366

Very truly yours,



Michael R. Bloomberg
Mayor

FISCAL 2009 BUDGET AS MODIFIED
AND AMENDED FISCAL 2009 REVENUE ESTIMATE



DRAFT

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

December 18, 2008

To The HONORABLE COUNCIL of THE CITY OF NEW YORK

For the Expense Budget of the City of New York beginning July 1, 2008 and ending June 30, 2009 (Fiscal Year 2009) as projected on December 18, 2008 the amount of appropriation is:

Amounts Appropriated	\$60,213,759,854
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The probable amounts and sources of revenues (including revenue from the Levy of Real Property Taxes for Fiscal Year 2009 authorized by resolution of the Council on June 29, 2008) for Fiscal Year 2009 are as set forth below:

Taxes (excluding Real Property Taxes)		\$21,584,491,000
Revenue from Levy of Real Property		
Taxes Already Authorized	\$13,782,400,000	
Miscellaneous Revenues	4,137,910,096	
Grants:		
Federal	5,898,516,269	
State	11,667,003,386	
Provision for Disallowances	(15,000,000)	
Unrestricted State and Federal Aid	339,796,737	
Other Categorical Aid	1,103,631,462	
Transfer from Capital Funds	463,343,797	
Tax Audit Revenue	677,135,000	
Tax Programs (Enacted)	<u>(1,446,000)</u>	\$39,053,290,747

FISCAL 2009 BUDGET AS MODIFIED
AND AMENDED FISCAL 2009 REVENUE ESTIMATE

Making the amount of the Expense Budget
for the Fiscal Year 2009 to be financed
by Additional Real Property Taxes:

\$575,978,107

In order to achieve the required additional Real Property Tax yield
of \$575,978,107, an additional Real Property Tax levy of \$575,978,107 will be
required.

Very truly yours,

Michael R. Bloomberg
Mayor

EXHIBIT C

FORM OF WARRANT

WARRANT

To Martha E. Stark, the Commissioner of Finance of the City of New York:

You are hereby authorized and required, in accordance with the provisions of the Real Property Tax Law and the Charter of the City of New York, to collect the real property tax on the properties named and described in the real property assessment roll in accordance with the assessments thereon and the tax rates fixed by the City Council for the fiscal year beginning on July 1, 2008.

Public Advocate of the
City of New York

Clerk of the City of
New York

(SEAL)