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Common Council

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March 6, 2013

Erie County Legislature
Betty Jean Grant, Chair
92 Franklin St, 4th floor
Buffalo, NY 14202

Dear Hon. Betty Jean Grant:

At the Common Council meeting held on Tuesday, March 05, 2013, the following item was ADOPTED by the Common Council:

**“Give Buffalo and Western New York a Level Playing Field with New York Television and Film Production Tax Credit”
(#97 C.C.P. March 05, 2013)**

Please review the enclosed items and file and address your comments and/or recommendations with the City Clerk, 1308 City Hall, by **2:00 p.m. on Thursday, March 14, 2013.** If you have any questions or need further information, please contact me at 851-4616.

Sincerely,

Julia A. Paul
Sr. Legislative Assistant
City of Buffalo Common Council

Enclosure

RESOLUTION**BY: MR. SMITH****DATE: February 25th, 2013****SUBJECT: GIVE BUFFALO AND WESTERN NEW YORK A LEVEL PLAYING
FIELD WITH NEW YORK TELEVISION AND FILM PRODUCTION
TAX CREDIT**

WHEREAS, according to a 2012 report by the Motion Picture Association of America, the film and television industry grew by nearly 25% in the New York City Area between 2008 and 2011 as a direct result of the Empire State Film Production Tax Credit; and

WHEREAS, since New York State began offering tax credits to support the film and television industry in 2004, producers have spent more than \$7 billion in New York State - mainly in New York City; and

WHEREAS, Buffalo and Western New York has a feature rich landscape full of film friendly locations and architectural assets; and

WHEREAS, Buffalo and Western New York has a diverse experienced group of production professionals, production facilities, union support professionals, and a full service regional film office with a proven track record; and

WHEREAS, elevated expenses in relation to transportation, lodging, and labor contracts places Buffalo and Western New York at an extreme disadvantage in comparison with surrounding states that feature similar regional assets; and

WHEREAS, major film productions set in Buffalo and Western New York are forced to use other states and Canada for their primary locations; and

WHEREAS, while the Empire State Film Production credit is intended to benefit the entire state, it has disproportionately benefitted only the downstate region; and

WHEREAS, just across the Peace Bridge in Ontario, Canada, a 35% tax production credit which features a 10 percent bump for productions that travel outside of the Metro Toronto Area has provided to be a proven model; and

WHEREAS, this proposed film tax credit bump provides a significant economic impact that benefits our local workforce, supply vendors, hotels, etc.

WHEREAS, The Council realizes a proportional increase in the credit allotment would not require additional funding of the existing Empire State Film Production Credit;

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NOW, THEREFORE BE IT RESOLVED

That this Council respectfully requests an increase in the Empire State Film Production Credit from 30% to 45% for production occurring in the Western Region of New York State to include the City of Buffalo, and to allow our region access to a level playing field when it comes to accessing the 7 billions dollars of revenue, and skilled jobs that come from the feature film industry that until now have not been totally realized.

BE IT FURTHER RESOLVED

That copies of this resolution be distributed to Governor Cuomo, Mayor Brown, State and County Delegations, Regional Development Council Co-Chairman – Howard Zemsky, Empire State Development President - Kenneth Adams, and Empire State Development Regional President - Sam Hoyt.



DEMONE A. SMITH

Common Council - Majority Leader
Masten District Council Member