

THE COUNCIL

Minutes of the Proceedings for the **STATED MEETING**

of

Thursday, February 26, 2015, 1:50 p.m.

The Public Advocate (Ms. James)
Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, Speaker

Maria del Carmen Arroyo	Vanessa L. Gibson	Rosie Mendez
Inez D. Barron	David G. Greenfield	I. Daneek Miller
Fernando Cabrera	Vincent M. Ignizio	Antonio Reynoso
Margaret S. Chin	Corey D. Johnson	Donovan J. Richards
Andrew Cohen	Ben Kallos	Ydanis A. Rodriguez
Costa G. Constantinides	Andy L. King	Deborah L. Rose
Robert E. Cornegy, Jr.	Peter A. Koo	Helen K. Rosenthal
Elizabeth S. Crowley	Karen Koslowitz	Ritchie J. Torres
Laurie A. Cumbo	Rory I. Lancman	Mark Treyger
Chaim M. Deutsch	Bradford S. Lander	Eric A. Ulrich
Inez E. Dickens	Stephen T. Levin	James Vacca
Daniel Dromm	Mark Levine	Paul A. Vallone
Rafael L. Espinal, Jr.	Alan N. Maisel	James G. Van Bramer
Mathieu Eugene	Steven Matteo	Mark S. Weprin
Daniel R. Garodnick	Darlene Mealy	Jumaane D. Williams
Vincent J. Gentile	Carlos Menchaca	Ruben Wills

Absent: Council Members Ferreras and Palma.

The Public Advocate (Ms. James) assumed the Chair as the Acting President Pro Tempore and Presiding Officer.

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Public Advocate (Ms. James).

There were 49 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Rev. Vanessa M. Brown, Rivers at Rehoboth Church, 263 W. 86th Street, N.Y. 10024.

Shall we pray?
Universal loving and all powerful God,
we open this meeting
inviting your presence here on this afternoon.
Let your grace and your peace be evident in this place.
We are thankful that you, God,
love the people of New York City,
and want what's best for us as a community.
We are grateful to the men and women
you have allowed to govern us.
Give them wisdom as they bear the privilege
and responsibility to lead the people of New York City
knowing their decisions impact many, many people.
Please, bless Mayor de Blasio, his family,
the City Council members,
our Public Advocate, and their families;
and all other City officials represented here and their families
as they serve the citizens of New York City.
In the name of all that is righteous, just and true,
Amen.

Council Member Rosenthal moved to spread the Invocation in full upon the Record.

During the Communication from Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) announced that this Stated Meeting would be adjourned in memory of Deputy Chancellor of the Department of Education Kathleen Grimm (Editor's Note: recently retired Deputy Chancellor Grimm had died of cancer on February 17, 2015 at the age of 68). In addition, at the request of Council Member Deutsch, the Speaker (Mark-Viverito) asked for all to remember the anniversary of the first World Trade Center bombing of February 26, 1993 in which six people were killed and over 1,000 were injured. She asked that those who were impacted by that event be kept in our thoughts and prayers.

ADOPTION OF MINUTES

Council Member Chin moved that the Minutes of the Stated Meeting of January 22, 2015 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-240

Communication from the Mayor – Submitting Preliminary Mayor’s Management Report (PMMR) for Fiscal Year 2015.

MEMORANDUM

TO: Melissa Mark-Viverito, Speaker, New York City Council

FROM: Mindy Tarlow, Director, Mayor's Office of Operations -.

DATE: February 24, 2015

SUBJECT: Preliminary Fiscal 2015 Mayor's Management Report

Today we are releasing the Preliminary Mayor's Management Report (PMMR) for Fiscal 2015. It presents the performance of City agencies from July 1, 2014 through October 31, 2014, and states expected levels of service based on the City's February 2015 Financial Plan. Enclosed is a copy of the report. We would like to direct other members of the Council to our website to view the Report at www.nyc.gov/mmr.

We are committed to providing information about our performance as a City, and to proactively engaging the public in this process. We look forward to working with the Council and other stakeholders to make government information easily accessible to all New Yorkers.

Thank you.

Received, Ordered, Printed and Filed.

LAND USE CALL UPS

M-241

By the Chair of the Land Use Committee Council Member Greenfield:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure (ULURP) application nos. C 120323 MMX shall be subject to Council review. This item is related to Application nos. C 150152 ZMX, C 150153 HUX and C 150154 HAX which are subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Roll Call.

LAND USE CALL UP VOTE

The Public Advocate (Ms. James) put the question whether the Council would agree with and adopt such motion which was decided in the **affirmative** by the following vote:

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

At this point, the Public Advocate (Ms. James) declared the aforementioned item **adopted** and referred this item to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Community Development

Report for Int. No. 423-A

Report of the Committee on Community Development in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to worker cooperatives.

The Committee on Community Development, to which the annexed amended proposed local law was referred on July 24, 2014 (Minutes, page 2958), respectfully

REPORTS:

INTRODUCTION

On February 25, 2015, the Committee on Community Development, chaired by Council Member Maria del Carmen Arroyo, voted in favor of Int. 0423-A, a Local Law to amend the administrative code of the city of New York, in relation to worker cooperatives. Accordingly, the Committee recommends the adoption of this legislation by the Council.

The Committee previously considered this bill at a hearing held on October 21, 2014 and received testimony from the Department of Small Business Services (SBS), the Mayor's Office of Contract Services (MOCS), as well as from a number of advocates representing worker cooperative businesses operating in the City.

BACKGROUND

A worker cooperative is a company that is entirely owned and controlled by its workers. Each worker has one vote and can participate in the governance of the business. Only the workers of the company are eligible to have an ownership interest in a worker cooperative. This differs from other businesses entities where outside investors can control the company's decisions.¹ Worker cooperatives have different governance structures: some share managerial and administrative responsibilities between the workers; others elect a board of directors to hire managers and make key business decisions.²

Similar to other businesses, worker cooperatives operate in different sectors and at different scales. The majority of cooperatives are small businesses that have established themselves in healthcare, skilled trades, service, manufacturing, technology, education, media, or retail sectors.³ These cooperatives are mostly in the Northeast, the West Coast, and the Midwest of the United States. According to the United States Federation of Worker Cooperatives, over 300 cooperatives in the United States employ over 3,500 people and generate over 400 million dollars in annual revenues.⁴

According to advocates, worker cooperatives provide better wages and employee benefits than traditional companies. Although there is usually an initial investment

¹ United States Federation of Worker Cooperatives, "What is a Worker Cooperative?" http://www.usworker.coop/sites/default/files/What%20is%20WC_1.pdf

² New York Business Solutions, Worker Cooperatives, at http://www.nyc.gov/html/sbs/nycbiz/downloads/pdf/educational/sector_guides/worker_cooperative.pdf

³ New York Business Solutions, Worker Cooperatives, at http://www.nyc.gov/html/sbs/nycbiz/downloads/pdf/educational/sector_guides/worker_cooperative.pdf

⁴ United States Federation of Worker Cooperatives, "What is a Worker Cooperative?" http://www.usworker.coop/sites/default/files/What%20is%20WC_1.pdf

required of new workers, cooperative jobs tend to be more stable.⁵ Cooperative workers' salaries depend on the worker's task and responsibilities at the company, and, according to the Federation of Protestant Welfare Agencies, the pay ratio between the highest and lowest paid worker/owner is usually about 3:1 to 5:1 before taxes⁶ compared to the average pay ratio of CEO of a traditional company to a minimum wage worker is roughly 50:1.⁷ Advocates also note that worker cooperatives help build long-term wealth for their members. At the end of each year, cooperatives deduct expenses and pay a portion of the remaining money, or "surplus," to the workers in accordance with the cooperative's distribution policy.⁸ For example, surplus might be allocated based on hours worked or seniority. The cooperative may also use the surplus to establish retirement funds or reserve money for future expansion. Advocates claim that these benefits typically make workers more satisfied with their jobs.⁹

The opportunity to build long-term wealth for workers has made worker cooperatives an attractive economic development strategy for low-income neighborhoods. In New York City, advocates are looking to increase the number of cooperatives because many communities are struggling to rebound from the 2008 recession and the New York City Center for Economic Opportunity estimates that more than 20% of New Yorkers live in poverty.¹⁰ With the help of organizations like the New York City Network of New York Cooperatives (NYC NoWC), at least 23 worker cooperatives have been established in the City. NYC NoWC supports the overall development of these businesses but primarily focuses on the development of cooperatives in low-income neighborhoods.¹¹ For many years, the New York City Council supported the growth of worker cooperatives by funding initiatives that provided cooperatives with technical assistance, trainings, consultations, and legal services.¹² The Council also helped facilitate a working relationship between the SBS and NYC NoWC.¹³ Building upon these efforts, the Council recently pledged \$1.2 million to fund nonprofit support services for the expansion of worker cooperatives

⁵ United States Federation of Worker Cooperatives, "What is a Worker Cooperative?"

http://www.usworker.coop/sites/default/files/What%20is%20WC_1.pdf

⁶ Federation of Protestant Welfare Agencies, "Worker Cooperatives for New York City: A Vision for Addressing Income Inequality" http://www.fpwa.org/binary-data/FPWA_BINARY/file/000/000/697-1.pdf

⁷ Salary.com, "Chief Executive Officer Hourly Salary Details,"

<http://swz.salary.com/salarywizard/Chief-Executive-Officer-Hourly-Salary-Details.aspx>

⁸ United States Federation of Worker Cooperatives, "What is a Worker Cooperative?"

http://www.usworker.coop/sites/default/files/What%20is%20WC_1.pdf

⁹ Federation of Protestant Welfare Agencies, "Worker Cooperatives for New York City: A Vision for Addressing Income Inequality" http://www.fpwa.org/binary-data/FPWA_BINARY/file/000/000/697-1.pdf

¹⁰ New York City Center for Economic Opportunity, Poverty Data Tool,

<http://www.nyc.gov/html/ceo/html/poverty/lookup.shtml>

¹¹ Federation of Protestant Welfare Agencies, "Worker Cooperatives for New York City: A Vision for Addressing Income Inequality" http://www.fpwa.org/binary-data/FPWA_BINARY/file/000/000/697-1.pdf

¹² New York City Council, "Speaker Quinn Announces Selection of Participants for Worker Cooperative Development Training Program," <http://council.nyc.gov/html/pr/010312workers.shtml>

¹³ New York City Council, "Speaker Quinn Outlines Nine Point Job Creation Strategy,"

<http://council.nyc.gov/html/pr/101811abny.shtml>

throughout the City.¹⁴ Although worker cooperatives are complex and labor intensive, they have the potential to help address difficult economic realities in low-income neighborhoods.

ANALYSIS OF INT. NO. 0423-A

Int. No 0423-A would require a number of reports from SBS and MOCS relating to the development of worker cooperative businesses.

Bill section one would amend title 6 of the administrative code of the city of New York by adding a new section 6-139. Subdivision a of the new section includes relevant definitions.

Subdivision b of the new section would require the city's chief procurement officer to submit to the speaker of the council, the mayor, and publish on the MOCS website an annual report, beginning six months after the end of the 2016 fiscal year, detailing the number and total dollar value of city contracts awarded to worker cooperatives in the previous fiscal year, including an expression of the percentage of city contracts awarded to worker cooperatives.

Paragraph 1 of subdivision c of the new section would require the commissioner of small business services to submit to the speaker of the council, the mayor, and make publicly available online an annual report, beginning six months after the end of the 2016 fiscal year, detailing the number of worker cooperatives assisted by SBS in the previous fiscal year, the industries in which those worker cooperatives operate, the communities in which they are headquartered, and the specific services provided by SBS to enhance the ability of worker cooperatives to compete for city contracts. This report would also include specific details about each worker cooperative assisted by SBS during the previous fiscal year, including the name and address of that cooperative, the number of members who joined the cooperative in the previous fiscal year, the number of non-member workers hired by the cooperative in the previous fiscal year, and a summary of the services provided by SBS to the cooperative in the previous fiscal year.

Paragraph 2 of subdivision c of the new section would require the commissioner of small business services, in consultation with the city's chief procurement officer, to submit to the speaker of the council, the mayor, and make publicly available online a report every third fiscal year, beginning with the 2016 fiscal year, describing the difficulties or obstacles that worker cooperatives encounter when competing for city contracts, along with recommendations from SBS on how to limit those difficulties or obstacles, as well as an assessment of the impact of services provided by SBS over the previous three years to worker cooperatives.

Paragraph 3 of subdivision c of the new section would require the commissioner of small business services, in consultation with the city's chief procurement officer, to submit to the speaker of the council, the mayor, and make publicly available

¹⁴ New York City Council, Speaker Mark-Viverito, Mayor De Blasio and City Council Announce FY 2015 Budget Agreement to Increase Policing on City Streets and Extend Free Lunch to City Students, <http://council.nyc.gov/html/pr/061914budget.shtml>

online by January 1, 2016, a single report summarizing the workshops, technical assistance, financial assistance and any other assistance provided to worker cooperatives during the 2015 fiscal year by entities funded through SBS's worker cooperative business development initiative detailed in schedule C of the fiscal year 2015 adopted expense budget.

Paragraph 4 of subdivision c of the new section would require the commissioner of small business services and the city's chief procurement officer, where feasible, to consult with worker cooperatives or entities that provide advice or other services to worker cooperatives in the city when preparing the report every third fiscal year describing the difficulties or obstacles that worker cooperative encounter when competing for city contracts.

Subdivision d of the new section would limit the scope of any report required by the new section except the single report from SBS summarizing the workshops, technical assistance, financial assistance and any other assistance provided to worker cooperatives during the 2015 fiscal year, to worker cooperatives that have identified themselves to SBS or another relevant agency through the city's VENDEX process or through SBS's client relationship management system.

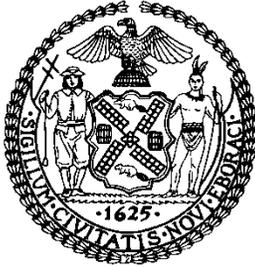
Bill section two contains the enactment clause and states that the local law shall take effect immediately.

Amendments to Int. No. 0423

The bill has been substantively amended in the following manner:

- The definitions for "worker-member" and "non-member worker" were added to subdivision a.
- The definition for "industry classification" was removed from subdivision a
- The definition for "worker cooperative" was changed to reflect the state law definition under section 1836-b of the New York Public Authorities Law.
- The date of the first MOCS annual report was changed from October 1, 2014 to six months after the end of the 2016 fiscal year.
- The terms of the MOCS annual report were changed from details regarding the city's procurement of goods and services from worker cooperatives to the number and total dollar value of contracts awarded to worker cooperatives and the percentage of city contracts awarded to worker cooperatives
- The date of the first SBS annual report was changed from October 1, 2016 to six months after the end of the 2016 fiscal year.
- The SBS report on worker cooperatives was split into two reports: One annual report containing details of the worker cooperatives assisted by SBS in the previous year, and one report every three years describing the difficulties facing worker cooperatives and containing recommendations from SBS on how to enhance the ability of worker cooperatives to compete for city contracts.
- SBS would now be required to produce a single report on the progress of the Worker Cooperative Business Development Initiative in Schedule C of the fiscal year 2015 adopted expense budget by January 1, 2016.

(The following is the text of the Fiscal Impact Statement for Int. No. 423-A:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION**

**LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO. 423-A

**COMMITTEE:
COMMUNITY
DEVELOPMENT**

TITLE: A Local Law to amend the administrative code of the City of New York, in relation to worker cooperatives.

SPONSORS: Council Members Rosenthal, Menchaca, Arroyo, Chin, Koo, Levine, Mendez, Reynoso, Rodriguez, Levin, Palma, Cornegy, Constantinides, Lander, Williams, Gibson, Vacca, Garodnick and Dromm.

SUMMARY OF LEGISLATION: Proposed Intro. No. 423-A would require the following four reports relating to worker cooperatives to be submitted to the Mayor and the Speaker of the Council, and posted online:

- An annual report from the Mayor’s Office of Contract Services (“MOCS”) detailing the number and total dollar value of city contracts awarded to worker cooperatives in the previous year, including an expression of the percentage of city contracts awarded to worker cooperatives;
- An annual report from the Department of Small Business Services (“SBS”) detailing the number of worker cooperatives assisted by SBS in the previous year, the industries in which those worker cooperatives operate, the communities in which they are headquartered, and the specific services provided by SBS to enhance the ability of worker cooperatives to compete for City contracts. This report would also include specific details about each worker cooperative assisted by SBS;
- A report every three years from SBS (in consultation with MOCS) describing the difficulties or obstacles that worker cooperatives encounter when competing for city contracts and recommendations from SBS on how to limit those difficulties or obstacles, as well as an assessment of the impact of services provided by SBS over the previous three years to worker cooperatives; and
- A single report due January 1, 2016 from SBS (in consultation with MOCS) summarizing the workshops, technical assistance, financial assistance and any other

assistance provided to worker cooperatives during the 2015 Fiscal Year by entities funded through SBS’s 2015 Worker Cooperative Business Development Initiative detailed in Schedule C of the Fiscal Year 2015 Adopted Expense Budget.

Effective Date: This local law would take effect immediately upon its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues resulting from this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures as a result of this legislation. MOCS has indicated that it would have the internal capacity to comply with the included reporting requirements. Likewise, SBS has indicated that it would also have the capacity to comply with the aforementioned reporting requirements using current staff. Further, \$58,250, or five percent, of the \$1.2 million in Council funding currently dedicated to the Worker Cooperative Business Development Initiative for Fiscal 2015 was allocated directly to SBS: these funds would be used to cover any unforeseen costs that may arise.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: City Council Finance Division
 Department of Small Business Services
 Mayor’s Office of Contract Services

ESTIMATE PREPARED BY: Jessica Dodson Ackerman, Senior Legislative Financial Analyst

ESTIMATE REVIEWED BY: Eisha Wright, Unit Head
 Regina Poreda Ryan, Deputy Director, Finance Division

Rebecca Chasan, Assistant Counsel, Finance

Division

Tanisha Edwards, Chief Counsel, Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 423 on July 24, 2014 and referred to the Committee on Community Development. A hearing was held by the Committee on October 21, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 423-A, will be considered by the Committee on February 25, 2015. Upon a successful vote by the Committee, Proposed Intro. 423-A will be submitted to the full Council for a vote on February 26, 2015.

DATE PREPARED: February 24, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 423-A:)

Int. No. 423-A

By Council Members Rosenthal, Menchaca, Arroyo, Chin, Koo, Levine, Mendez, Reynoso, Rodriguez, Levin, Palma, Cornegy, Constantinides, Lander, Williams, Gibson, Vacca, Garodnick, Dromm, Van Bramer, Eugene and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to worker cooperatives.

Be it enacted by the Council as follows:

Section 1. Title 6 of the administrative code of the city of New York is amended by adding a new section 6-139 to read as follows:

§ 6-139 Worker cooperatives. a. Definitions. As used in this section:

“City chief procurement officer” means the person to whom the mayor has delegated authority to coordinate and oversee the procurement activity of mayoral agency staff, including the agency chief contracting officers and any offices that have oversight responsibility for procurement.

“Commissioner” means the commissioner of small business services or the commissioner of any successor agency thereto.

“Department” means the department of small business services or any successor agency thereto.

“Non-member worker” means, with respect to a worker cooperative, a natural person who works for such cooperative and who is not a worker-member of such cooperative.

“Worker cooperative” means a business in which the workers are represented on the board of directors and the workers control the majority of the voting stock, or if the business is held in a trust which controls the majority of the voting stock, the trustees are elected by the workers. The term “worker cooperative” includes a worker cooperative as defined in section 81 of the cooperative corporations law.

“Worker-member” means, with respect to a worker cooperative, a natural person who works for such cooperative and holds voting stock in such cooperative.

b. No later than six months after the end of each fiscal year, beginning with the 2016 fiscal year, the city chief procurement officer shall, with the cooperation of all relevant agencies, prepare and submit to the speaker of the council and the mayor, and publish on the mayor’s office of contract services website, a report containing, at a minimum, the following information for such fiscal year:

1. the number and total dollar value of city contracts awarded to worker cooperatives, disaggregated by agency and type of business;

2. the number and total dollar value of all city contracts, disaggregated by agency and type of business; and

3. the percentage of city contracts awarded to worker cooperatives, disaggregated by agency and type of business.

c. 1. No later than six months after the end of each fiscal year, beginning with the 2016 fiscal year, the commissioner, in consultation with the city chief procurement officer, shall submit to the speaker of the council and the mayor, and shall make publicly available online, a report containing, at a minimum, the following information:

(a) the number of worker cooperatives that applied for assistance from the department in the previous fiscal year; the number of worker cooperatives assisted by the department in the previous fiscal year; the industries in which such worker cooperatives operate and the community districts in which such worker cooperatives are headquartered; and the specific actions taken by the department in the previous fiscal year to assist the development of worker cooperatives, including, but not limited to, the services rendered by the department to enhance the ability of such worker cooperatives to compete for and obtain city contracts; and

(b) for each of the worker cooperatives assisted by the department in the previous fiscal year as described in subparagraph (a) of this paragraph, the department shall furnish the name and address of such worker cooperative; the number of natural persons who became worker-members during the previous fiscal year, where made available to the department; the number of non-member workers who were hired during the previous fiscal year, where made available to the department; and a summary of the services provided by the department to such worker cooperative in the previous fiscal year.

2. No later than six months after the end of every third fiscal year, beginning with the 2016 fiscal year, the commissioner, in consultation with the city chief procurement officer, shall submit to the speaker of the council and the mayor, and

shall make publicly available online, a report containing, at a minimum, the following information:

(a) a description of difficulties or obstacles that worker cooperatives encounter when competing for city contracts;

(b) recommended measures to lessen the effects of such difficulties and obstacles and to enhance the ability of worker cooperatives to compete for and obtain city contracts; and

(c) a description of the impact of services provided by the department to worker cooperatives in the previous three fiscal years, to the extent such impact can be assessed through consultation with such worker cooperatives and entities that provide advice or other services for worker cooperatives located in the city, to the extent such entities can be identified through the consultations described in paragraph four of this subdivision. No such description shall be required for any fiscal year prior to the 2016 fiscal year.

3. By January 1, 2016, the commissioner, in consultation with the city chief procurement officer, shall submit to the speaker of the council and the mayor, and shall make publicly available online, a report that shall include, for each entity that received funding from the department in connection with the worker cooperative business development initiative as described in schedule C of the fiscal year 2015 adopted expense budget, a summary of the actions taken by such entity, using such funding, to assist the development of worker cooperatives, including but not limited to a description of any workshops, technical assistance or financial assistance provided.

4. In preparing the report required by paragraph two of this subdivision, the commissioner and city chief procurement officer shall, to the extent feasible, consult with worker cooperatives and entities that provide advice or other services for worker cooperatives located in the city and shall include in such report a summary of findings from such consultations.

d. Except as provided in paragraph three of subdivision c of this section, for purposes of any report required by this section, the report shall be limited to worker cooperatives that have identified themselves to the department or a relevant agency through the electronic system used for vendor enrollment with the city or through the department's electronic customer relationship management system.

§2. This local law shall take effect immediately.

MARIA del CARMEN ARROYO, *Chairperson*; ANDY L. KING, ALAN N. MAISEL, HELEN K. ROSENTHAL; Committee on Community Development, February 25, 2014. *Other Council Members Attending: Menchaca.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Finance

At this point the Speaker (Council Member Mark-Viverito) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 590

Report of the Committee on Finance in favor of approving a Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

The Committee on Finance, to which the annexed preconsidered resolution was referred on February 26, 2015, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”).

Analysis. This Resolution, dated February 26, 2015, approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2014 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, and local, aging, and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2014 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 3-9; sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 10; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 11; sets for the change in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2014 Expense Budget, as described in Chart 12; amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as described in Chart 13; and amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as described in Chart 14.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, and Adjustments Summary/Schedule C/Fiscal 2014 Expense Budget, dated June 27, 2013.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 3 sets forth the change in the designation of a certain organization, specifically a change in the administering agency, receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 4 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 5 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative (HPI) in accordance with the Fiscal 2015 Expense Budget.

Chart 6 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 10 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 11 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 12 sets forth the change in the designation, specifically the addition of an EIN, of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 13 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 14 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other

government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

It should be further noted that funding for organizations in the attached Charts with a double asterisk (**) will not take effect until the passage of a budget modification.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2014 and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 590:)

Res. No. 590

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Member Ferreras .

Whereas, On June 26, 2014 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

Whereas, On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now therefore be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative (HPI) in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrants Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	UA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Comedy	Muslim Consultative Network	75-3163655	DYCD	(\$5,000.00)	260	005		
Comedy	Muslim Community Network	75-3163655	DYCD	\$5,000.00	260	005		
Levine	Muslim Consultative Network	75-3163655	DYCD	(\$5,000.00)	260	005		
Levine	Muslim Community Network	75-3163655	DYCD	\$5,000.00	260	005		
Speaker	Muslim Consultative Network	75-3163655	DYCD	(\$25,000.00)	260	312		
Speaker	Muslim Community Network	75-3163655	DYCD	\$25,000.00	260	312		
Cumbo	Caribbean Research Center at Medgar Evers College, The **	11-2631618	CUNY	(\$7,500.00)	042	001		
Cumbo	Caribbean Research Center at Medgar Evers College, The **	11-2631618	CUNY	(\$3,500.00)	260	005		
Ulrich	Church of the Holy Child Jesus	11-1639802	DYCD	\$500.00	260	312		
Ulrich	Vietnam Veterans of America, Inc. - Queens Chapter #32	11-2629339	DYCD	\$2,500.00	260	005		
Ulrich	St. Camillus-Saint Virgilius Roman Catholic Church	11-1674392	DYCD	\$500.00	260	312		
Ulrich	Howard Beach Lindenwood Civi **	46-5145713	DYCD	(\$5,000.00)	260	005		
Ulrich	Bangladeshi American Community Development and Youth Services Corp **	46-2989573	DYCD	(\$5,000.00)	260	312		
Ulrich	Queens Economic Development Corporation **	11-2496148	DBBS	\$10,000.00	601	002		
Speaker	Urban Justice Center	13-3442022	MOCJ	(\$50,000.00)	098	002		
Speaker	Urban Justice Center	13-3442022	NYCHA	\$50,000.00	098	002		
Palma	Westchester Square Partnership, Inc.	26-3124969	DYCD	(\$5,000.00)	260	005		
Palma	Sapna NYC, Inc.	26-3124969	DYCD	\$5,000.00	260	005		
Vacca	Westchester Square Partnership, Inc.	26-3124969	DYCD	(\$5,000.00)	260	005		
Vacca	Sapna NYC, Inc.	26-3124969	DYCD	\$5,000.00	260	005		
Mealy	City Wide Council of Presidents	45-4847182	DYCD	(\$5,000.00)	260	005		
Mealy	Reshaping Our Youth and Adult Lives, Inc.	26-1470485	DYCD	\$5,000.00	260	005		
Mealy	Central Brooklyn Legal Services Corp	46-5144468	DSS/HRA	(\$10,000.00)	069	103		
Mealy	South Brooklyn Legal Services	13-2605605	DSS/HRA	\$10,000.00	069	103		
Comedy	Alpha Upsilon Upsilon, Inc.	13-3923344	DYCD	(\$5,500.00)	260	312		
Comedy	Bodega Association of the United States, Inc., The	13-4060809	DYCD	(\$15,000.00)	260	312		
Comedy	Marcy Tennis Club, Inc.	27-3170420	DYCD	\$13,000.00	260	312		
Comedy	Chris S Owens Foundation Inc., The	27-1794489	DYCD	\$7,500.00	260	312		
Mealy	Circuit Productions, Inc. **	13-2881858	DYCD	(\$5,000.00)	260	312		
Mealy	Circuit Productions, Inc. **	13-2881858	DCLA	\$5,000.00	126	005		
Mealy	Circuit Productions, Inc. **	13-2881858	DYCD	(\$3,000.00)	260	312		
Mealy	Circuit Productions, Inc. **	13-2881858	DCLA	\$3,000.00	126	005		
Ferretas	Flushing Council on Culture and the Arts Inc. **	11-2652182	DYCD	(\$3,500.00)	260	312		
Ferretas	Flushing Council on Culture and the Arts Inc. **	11-2652182	DYCD	(\$3,500.00)	260	312		
Gairdick	Wildlife Conservation Society - Central Park Zoo **	13-1740011	DCLA	\$3,500.00	126	022		
Gairdick	Wildlife Conservation Society - Central Park Zoo **	13-1740011	DPR	(\$3,500.00)	126	007		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 1: Local Initiatives - Fiscal 2015 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Cumbo	Wildlife Conservation Society - Prospect Park Zoo **	13-1740011	DCLA	(\$5,700.00)	126	007		
Cumbo	Wildlife Conservation Society - Prospect Park Zoo **	13-1740011	DPR	\$5,700.00	846	006		
Ferreas	Wildlife Conservation Society - Queens Zoo **	13-1740011	DCLA	(\$5,000.00)	126	007		
Ferreas	Wildlife Conservation Society - Queens Zoo **	13-1740011	DPR	\$5,000.00	846	006		
Manhattan Delegation	Apollo Theater Foundation, Inc.	13-3630066	DCLA	(\$100.00)	126	003		
Levin	Jazzreach Performing Art & Education Association	11-3179208	DCLA	\$100.00	126	003		
Gentile	Brooklyn Institute of Arts and Sciences	11-1672743	DCLA	(\$1,000.00)	126	008	NIA Community Services Network, Inc.	11-2697931
Rosenthal	Brooklyn Museum	11-1672743	DCLA	\$1,000.00	126	008		
Rosenthal	Fund for the City of New York, Inc. - Afro Latin Jazz Alliance	13-2612524	DCLA	(\$3,500.00)	126	003		
Reynoso	Afro-Latin Jazz Alliance, Inc.	26-0670214	DCLA	\$3,500.00	126	003		
Reynoso	Fund for the City of New York, Inc. - Afro Latin Jazz Alliance	13-2612524	DCLA	(\$3,500.00)	126	003		
Reynoso	Afro-Latin Jazz Alliance, Inc.	26-0670214	DCLA	\$3,500.00	126	003		
Espinal	Harvest Life Center, Inc., The **	20-2735233	DYCD	(\$3,000.00)	260	312		
Espinal	Literacy, Inc. (LINC) **	13-3911331	DYCD	(\$3,000.00)	260	312		
Espinal	Progress High School **	13-640434	DOE	\$6,000.00	040	402		
Espinal	Federation Employment and Guidance Service, Inc. **	13-1624000	DSBS	(\$10,000.00)	801	002		
Espinal	Brooklyn Arts Council, Inc. **	23-7072915	DCLA	\$10,000.00	126	003		
Lancman	Shalom Task Force, Inc. **	11-3207504	DFTA	(\$10,000.00)	125	003		
Lancman	Shalom Task Force, Inc. **	11-3207504	MOCJ	\$10,000.00	098	002		
Lancman	American Bangali Hindu Foundation, Inc	26-0741506	DYCD	(\$2,500.00)	260	312		
Lancman	First Presbyterian Church in Jamaica	11-1668613	DYCD	\$2,500.00	260	005		
Speaker	Federation Employment and Guidance Service, Inc.	13-1624000	DSBS	(\$35,000.00)	801	002		
Speaker	East Harlem Council for Community Improvement, Inc.	13-2968933	DSBS	\$35,000.00	801	002		
Matteo	Child Abuse Prevention Program, Inc. **	11-2864750	DYCD	(\$3,000.00)	260	312		
Matteo	Children's Aid Society, The **	13-5562191	DYCD	(\$1,000.00)	260	312		
Matteo	Crossroads Community Church **	32-0020680	DYCD	(\$2,000.00)	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256
Matteo	Enrichment Through the Arts **	11-3051230	DYCD	(\$1,500.00)	260	312	United Activities Unlimited, Inc.	13-2921483
Matteo	Making Books Sing, Inc. **	13-4201577	DYCD	(\$1,500.00)	260	312		
Matteo	Seaman's Society for Children and Families **	13-5563010	DYCD	(\$1,500.00)	260	312		
Matteo	Staten Island Baseball Old-timers Association **	13-4033266	DYCD	(\$2,500.00)	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256
Matteo	Staten Island Boys Football League, Inc. **	23-7167904	DYCD	(\$2,500.00)	260	312		
Matteo	Staten Island Saints Fastpitch Softball Club Inc. **	27-2525251	DYCD	(\$2,500.00)	260	312	United Activities Unlimited, Inc.	13-2921483
Matteo	Staten Island United Federation Baseball, Inc. **	20-0007086	DYCD	(\$3,000.00)	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256
Matteo	Staten Island Youth Soccer League, Inc. **	32-0048308	DYCD	(\$3,000.00)	260	312		
Matteo	DOE-District 31, Region 7 **	13-640434	DOE	\$1,000.00	040	402		
Matteo	Staten Island Chamber of Commerce Foundation, Inc. **	13-4062922	DSBS	\$5,000.00	801	002		
Matteo	West Brighton Community Local Development Corporation **	13-3046424	DSBS	\$5,000.00	801	002		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 1: Local Initiatives - Fiscal 2015 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Gibson	1332 Fullon Avenue Day Care Center, Inc.**	13-2690309	ACS	(\$30,000.00)	068	004		
Gibson	1332 Fullon Avenue Day Care Center, Inc.**	13-2690309	DYCD	\$30,000.00	260	312		
Eugene	Department of Youth and Community Development	13-6400434	DYCD	(\$4,000.00)	260	312		
Eugene	Fiatbush Development Corporation	51-0188251	DYCD	\$4,000.00	260	312		
Eugene	Friends of Brooklyn Community Board 9, Inc.**	45-3110977	DSBS	(\$5,000.00)	801	002		
Eugene	Crown Heights Jewish Community Council, Inc.**	23-7390986	DYCD	\$5,000.00	260	005		

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 2: Youth Discretionary - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Espinal	83rd Precinct Youth Council, Inc.	26-3665791	DYCD	(\$6,000.00)	260	312		
Espinal	Harvest Life Center, Inc., The	20-2735233	DYCD	\$3,000.00	260	312		
Espinal	Literacy, Inc. (LINC)	13-3911331	DYCD	\$3,000.00	260	312		
Lancman	Chazaq Organization	26-3598999	DYCD	(\$2,500.00)	260	312		
Lancman	American Bangali Hindu Foundation, Inc	26-0741505	DYCD	\$2,500.00	260	312		
Matteo	United Activities Unlimited, Inc.	13-2921483	DYCD	(\$49,000.00)	260	312		
Matteo	Child Abuse Prevention Program, Inc.	11-2864750	DYCD	\$3,000.00	260	312		
Matteo	Children's Aid Society, The	13-5662191	DYCD	\$1,000.00	260	312		
Matteo	Enrichment Through the Arts	11-3051230	DYCD	\$1,500.00	260	312	United Activities Unlimited, Inc.	13-2921483
Matteo	Making Books Sing, Inc.	13-4201577	DYCD	\$1,500.00	260	312		
Matteo	Seaman's Society for Children and Families	13-5563010	DYCD	\$1,500.00	260	312		
Matteo	Staten Island Baseball Oil-Timers Association	13-4033266	DYCD	\$2,500.00	260	312	Jewish Community Center of Staten Island, Inc.	13-5562256
Matteo	Staten Island Saints Fastpitch Softball Club Inc.	27-2625261	DYCD	\$4,500.00	260	312		
Matteo	Staten Island United Federation Baseball, Inc.	20-0007066	DYCD	\$3,500.00	260	312		
Matteo	Staten Island Youth Soccer League, Inc.	32-0046308	DYCD	\$3,000.00	260	312		
Matteo	Crossroads Community Church	32-0020680	DYCD	\$4,000.00	260	312		
Matteo	Richard Willis Memorial Fund	13-3948376	DYCD	\$5,000.00	260	312		
Matteo	West Shore Little League	13-3425081	DYCD	\$4,000.00	260	312		
Matteo	East Shore Little League	51-0237392	DYCD	\$4,000.00	260	312		
Matteo	Staten Island Little League	13-6162802	DYCD	\$4,000.00	260	312		
Matteo	Mid-Island Little League, Inc.	23-7032781	DYCD	\$4,000.00	260	312		
Matteo	Staten Island Atlantic Collegiate Baseball League	27-1229660	DYCD	\$2,000.00	260	312		
Matteo	Richard Willis Memorial Fund	13-3948376	DYCD	(\$2,000.00)	260	312	United Activities Unlimited, Inc.	13-2921483
Matteo	Richard Willis Memorial Fund	13-3948376	DYCD	\$2,000.00	260	312		
Rose	Trackmasters Youth Club, Inc.	061643192	DYCD	(\$8,000.00)	260	312		
Rose	Zimmer Club Youth Conservation Program of Staten Island, Inc.	35-2262561	DYCD	\$8,000.00	260	312		

* | Indicates pending completion of pre-qualification review.

CHART 3: Anti-Poverty Initiative - Fiscal 2015

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Ignizb	Staten Island NFP Association, Inc. **	20-3560375	DYCD	(\$4,500.00)	260	005		
Ignizb	Staten Island NFP Association, Inc. **	20-3560375	DSBS	\$4,500.00	801	002		

* Indicates pending completion of pre-qualification review.

CHART 4: Boroughwide Needs Initiative - Fiscal 2015

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Brooklyn Delegation	City-Wide Council Of Presidents, Inc.	45-4847192	DYCD	(\$38,750.00)	260	005		*
Brooklyn Delegation	Reshaping Our Youth and Adult Lives, Inc.	26-1470495	DYCD	\$38,750.00	260	005		

* Indicates pending completion of pre-qualification review.

CHART 5: Housing Preservation Initiative (HPI) - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
Mealy	MHANY Management, Inc.	72-1303737	HPD	(\$50,000.00)	806	009 *
Mealy	Brooklyn Housing and Family Services, Inc.	11-2412584	HPD	\$50,000.00	806	009
Barron	MHANY Management, Inc.	72-1303737	HPD	(\$50,000.00)	806	009 *
Barron	Neighborhood Housing Services of East Flatbush	13-3098397	HPD	\$50,000.00	806	009

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 6: Cultural Immigrant Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Treyger	Coney Island History Project	03-0541772	DCLA	(\$14,700.00)	126	003	*
Treyger	Arts House Schools, Inc.	87-0790139	DCLA	\$14,700.00	126	003	
Garodnick	Department of Cultural Affairs	13-6400434	DCLA	(\$29,400.00)	126	003	
Garodnick	Spanish Theatre Repertory Company, Ltd.	13-2872755	DCLA	\$14,700.00	126	003	
Garodnick	Spanish Dance Arts Company, Inc.	13-3286419	DCLA	\$14,700.00	126	003	

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 7: MWBE Leadership Associations Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Women Builders Council, Inc.	27-0111010	DSBS	(\$43,950.00)	801	005 *
ACCION East, Inc.	11-3317234	DSBS	\$14,650.00	801	005
West Brighton Community Local Development Corporation	13-3046424	DSBS	\$14,650.00	801	005
South Bronx Overall Economic Development Corporation	13-2736022	DSBS	\$14,650.00	801	005

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect.

CHART 8: Infant Mortality Reduction Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Northern Manhattan Perinatal Partnership	13-3782555	DOHMH	(\$167,872.00)	816	113
Bronx Health Link	13-4045022	DOHMH	\$40,480.00	816	113
Brooklyn Perinatal Network	13-3428222	DOHMH	\$26,272.00	816	113
Caribbean Women's Health Association	13-3323168	DOHMH	\$9,600.00	816	113
Choices in Childbirth	20-2015286	DOHMH	\$20,480.00	816	113
Community Health Center of Richmond	51-0567466	DOHMH	\$11,360.00	816	113
Planned Parenthood of NYC	13-2621497	DOHMH	\$19,200.00	816	113
Queens Comprehensive Perinatal Council	11-2870422	DOHMH	\$40,480.00	816	113

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 9: Worker Cooperative Business Development Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agv #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Bronx Cooperative Development Initiative (BCDI)	45-2201983	DSBS	(\$60,800.00)	801	002	Federation of Protestant Welfare Agencies (FPWA)	13-5662220
Commonwise Education Inc.	45-2201983	DSBS	\$60,800.00	801	002	Federation of Protestant Welfare Agencies (FPWA)	13-5662220
NYC Network of Worker Cooperatives (NYCNOWC)	46-5245034	DSBS	(\$94,250.00)	801	002	Federation of Protestant Welfare Agencies (FPWA)	13-5662220
ICA Group	04-2628399	DSBS	\$94,250.00	801	002	Federation of Protestant Welfare Agencies (FPWA)	13-5662220

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 10: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agt #	UIA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Miller	African American Women in Cinema	13-4151020	DYCD	(\$3,500.00)	260	005		*
Miller	Eastern Queens Alliance	20-1729492	DYCD	\$3,500.00	260	005		
Miller	Caribbean Cultural Theatre, Inc.	83-0509237	DYCD	(\$3,500.00)	260	005		*
Miller	St. Albans Congregational Church	11-2077266	DYCD	\$3,500.00	260	312		
Miller	Rajkumari Cultural Center, Inc., The	11-3338875	DYCD	(\$3,500.00)	260	312		*
Miller	Eagle Academy Foundation, Inc.	20-1532382	DYCD	\$3,500.00	260	312		
Miller	SEVA Immigrant Community Advocacy Project, Inc.	20-8013346	DYCD	(\$3,500.00)	260	005		*
Miller	Southern Queens Park Association, Inc.	11-2432846	DYCD	\$3,500.00	260	312		
Miller	Recreational Inner-City Sports and Recreation (RISE)	11-3169473	DYCD	(\$3,500.00)	260	312		
Miller	St. Albans Congregational Church	11-2077266	DYCD	\$3,500.00	260	312		
Rose	Daughters of Africa, Inc.	13-4175519	DYCD	(\$5,000.00)	260	312		
Rose	Council of Jewish Organizations of Staten Island, Inc.	13-3525474	DYCD	\$2,000.00	260	005		
Rose	University of Notre Dame Alummi Club of Staten Island	31-1344537	DYCD	\$3,000.00	260	005		

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 11: Youth Discretionary - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	UIA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Rose	Staten Island Rising Stars	65-1321528	DYCD	(\$3,500.00)	260	312		
Rose	Empowerment Zone	14-2008368	DYCD	\$1,500.00	260	312		
Rose	West Shore Little League	13-3425081	DYCD	\$1,000.00	260	312		
Rose	Staten Island Boys Football League, Inc.	23-7167904	DYCD	\$1,000.00	260	312		

* Indicates pending completion of pre-qualification review.
 ** Requires a budget modification for the changes to take effect

CHART 12: DYCD Food Pantries Initiative - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A
Queens	St. Theresas		DYCD	(\$5,000.00)	260	005 *
Queens	St. Theresas	11-1731859	DYCD	\$5,000.00	260	005 *

* Indicates pending completion of pre-qualification review.

** Requires a budget modification for the changes to take effect

CHART 13: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Ulrich	Gateway Bike and Boathouse, Inc.	26-2745119	DYCD	(\$5,000.00)	Funds will be used to construct a boathouse and to purchase equipment.
Local	Ulrich	Gateway Bike and Boathouse, Inc.	26-2745119	DYCD	\$5,000.00	Funds will be used to purchase equipment including but not limited to kayaks, paddles and Personal Flotation Devices (PFDs).
Boro	SI Delegation	College of Staten Island	13-4400434	CUNY	(\$10,000.00)	Soft-Site Study
Boro	SI Delegation	College of Staten Island	13-4400434	CUNY	\$10,000.00	Funding will be used to offset the costs of conducting a site-study regarding vacant or under-utilized land in Staten Island and the impact it may have on the surrounding communities.
Local	Torres	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811	HPD	(\$20,000.00)	Funds will support the cleaning and removal of graffiti throughout the district
Local	Torres	Neighborhood Initiatives Development Corporation (NIDC)	13-3110811	HPD	\$20,000.00	To support housing organizing and tenant resources to low-income residents in the Bronx.
Anti-Poverty	Mark-Viverito	Little Sisters of the Assumption Family Health Service, Inc.	13-2867881	DYCD	(\$15,000.00)	Funding to providing immigrant counseling, a food pantry and many services designed to help poor and immigrant families (many undocumented), including visits for pregnant and postpartum women and their babies, early childhood education their parents, and youth services for immigrant children.
Anti-Poverty	Mark-Viverito	Little Sisters of the Assumption Family Health Service, Inc.	13-2867881	DYCD	\$15,000.00	To provide funding for youth mentoring and after-school programs.
Anti-Poverty	Lancman	Educational Center for New Americans, Inc.	11-3173201	DYCD	(\$25,000.00)	Youth and food distribution programs
Anti-Poverty	Lancman	Educational Center for New Americans, Inc.	11-3173201	DYCD	\$25,000.00	Support for a youth program, where youth come to a safe environment, as an alternative to the street. They participate in discussions forums, and in clubs like chess, and self defense. The youth have some outings and trips as well.
Youth	Lancman	Young Israel of Hillcrest	11-2017868	DYCD	(\$10,000.00)	Funding to provide weekend gatherings, barbecues, winter and spring sports programs and trips to sporting events, amusement parks and museums.
Youth	Lancman	Young Israel of Hillcrest	11-2017868	DYCD	\$10,000.00	Funding to support youth programming including soccer, baseball and trips available to all children in the Hillcrest, Fresh Meadows and Flushing communities.
Local	Lancman	Mesbia	20-1923521	DYCD	(\$10,000.00)	Congratulate and take-home meals.
Local	Lancman	Mesbia	20-1923521	DYCD	\$10,000.00	To operate soup kitchens throughout New York City. The money will be used to pay rent, utilities, food, paper goods and staff.
Local	Lancman	Samaritan Village, Inc.	11-2635374	DOHMH	(\$5,000.00)	Funding to establish a resource center at the Van Wyck Residential Treatment Program to house a library containing resources (including books, DVDs, etc.) for families of clients in treatment. Funds would also pay for paint and the installation of bookshelves and furnishings in the space. Resources would be provided on how family members can support a person working towards recovery from addiction by using the family's strengths.

* Indicates pending completion of pre-qualification review.

CHART 14: Purpose of Funds Changes - Fiscal 2014

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Treyger	Alliance for Coney Island, Inc.	46-0902042	DYCD	(\$20,000.00)	Funds will be used to defray the cost of the New Year's Eve event in Coney Island.
Local	Treyger	Alliance for Coney Island, Inc.	46-0902042	DYCD	\$20,000.00	Funding will be used to provide free and public programming for Coney Island residents and visitors during the Summer Season including events like fireworks and Flicks on the Beach.
Aging	Lancman	Kew Gardens Hills Community Foundation, Inc.	51-0506762	DFTA	(\$3,000.00)	Funding will provide senior services and trips for isolated older adults.
Aging	Lancman	Kew Gardens Hills Community Foundation, Inc.	51-0506762	DFTA	\$3,000.00	Funding will provide senior services and trips for isolated older adults to museums, performances and other cultural institutions.
Youth	Lancman	Young Israel of Kew Gardens Hills	11-1944880	DYCD	(\$10,000.00)	Funds will be used to play the cost of the numerous events that our Youth Program runs throughout they year.
Youth	Lancman	Young Israel of Kew Gardens Hills	11-1944880	DYCD	\$10,000.00	Funding to support youth programming and events including soccer, baseball, basketball, and arts and crafts.
Aging	Lancman	Church of the Immaculate Conception Jamaica New York	11-1752022	DFTA	(\$4,000.00)	Funds used to provide meals twice a month to socialize, share a meal, and play a variety of games. The group travels by bus for day trips to points of interest throughout the year.
Aging	Lancman	Church of the Immaculate Conception Jamaica New York	11-1752022	DFTA	\$4,000.00	The Immaculate Conception Friendly Club is a social group for Senior Citizens of the community to gather and enjoy support and fellowship with one another. The group meets twice a month to socialize, share a meal and play a variety of games. The group travels by bus to points of interest throughout the year.

* Indicates pending completion of pre-qualification review.

MARK LEVINE, *Acting Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 26, 2015. *Other Council Members Attending: Cohen.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Mark-Viverito) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for Res. No. 591

Report of the Committee on Finance in favor of approving a Resolution concerning the establishment of the Meatpacking Area Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

The Committee on Finance, to which the annexed preconsidered resolution was referred on February 26, 2015, respectfully

REPORTS:

BACKGROUND

Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (hereinafter the “Law”), the Mayor and the Council are authorized to establish Business Improvement Districts (hereinafter “BIDs”) in New York City. BIDs, which are specifically established areas, use the City’s property tax collection mechanism to approve a special tax assessment with which to fund additional services that would enhance the area and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The Steering Committee of a BID demarcates the areas in which services will be enhanced and also establishes the mechanism for the assessment needed to generate the required budget.

The proposed Meatpacking Area BID (hereinafter the “District”) is located in the borough of Manhattan in the northernmost part of the West Village and the southernmost part of lower Chelsea. It is generally bounded by Horatio Street to the South, West 17th Street to the North, 10th Avenue to the West, and 8th Avenue to the East. The majority of the District’s land use is commercial, but there are also hotels, residences, government or not-for-profit properties, and public plazas.

The District is comprised of 649 parcels, which include 154 commercial lots, 472 residential lots (primarily individual condominiums), 5 vacant lots, 1 parking lot and 17 government or not-for-profit properties and is located in Manhattan Community Boards 2 and 4.

The District will be managed by the Meatpacking Area District Management Association, Inc. Services to be provided within the District include: sanitation, landscape maintenance, beautification, public safety, economic development initiatives, business and community advocacy, and general administration. The budget for the first year of operation is \$1.6 million. In subsequent years the District’s budget may rise to \$3.2 million as additional development occurs in the district.

PROGRAMS AND SERVICES	\$1,233,500
Sanitation	\$265,000
Beautification & Landscape Maintenance	\$145,000
Public Safety	\$378,500
Capital Maintenance & Reserve	\$145,000
Furniture Maintenance & Supplies	\$100,000
Economic Development	\$200,000
ADVOCACY, GENERAL & ADMINISTRATION	\$366,500
TOTAL FIRST YEAR BUDGET	\$1,600,000

All properties within the District in whole or in part devoted to commercial use, including vacant parcels and parking lots, will be assessed at a rate of no more than \$0.24 per commercial square foot. At a rate of \$0.24 per commercial square foot, the median annual assessment would be approximately \$1,920, the minimum assessment would be approximately \$120, and the highest assessment would be \$518,878. Government and not-for-profit owned property are exempt from assessment. Residential properties will be assessed \$1 per year.

PRECONSIDERED RESOLUTION

This Preconsidered Resolution is required by Section 25-407(b) (2) of the Administrative Code, which requires, in relevant part, that a further hearing shall be called by Resolution if the City Council finds that notice of the initial hearing on the proposed District was incorrectly or insufficiently given to property owners within a proposed district.

The main purpose of this Resolution is to set the public hearing date, time, and place for the review of the local law which would establish the Meatpacking Area BID.

The hearing on the local law and the District Plan will be held on March 11, 2015 at 10:00 a.m. in the Committee Room at City Hall in New York, New York to hear all persons interested in the establishment of the District.

This Resolution also directs Small Business Services (hereinafter “SBS”) and the Meatpacking Area BID Steering Committee, respectively, to, not less than ten nor more than thirty 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 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 District, and to the tenants of each building within the proposed District. The Resolution also directs SBS to 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 nor more than thirty days before the date of the public hearing.

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered resolution, please see the Introduction and Reading of Bills section printed in these Minutes).

MARK LEVINE, *Acting Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 26, 2015.
Other Council Members Attending: Cohen.

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

At this point the Speaker (Council Member Mark-Viverito) announced that the following items had been **preconsidered** by the Committee on Finance and had been favorably reported for adoption.

Report for L.U. No. 179

Report of the Committee on Finance in favor of approving Schervier Apartments, Block 5750, Lot 500, Bronx, Community District No.8, Council District No. 11.

The Committee on Finance to which the annexed preconsidered Land Use item was referred on February 26, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

February 26, 2015

540

(The following is the text of a Finance Memo to the Finance Committee from the Finance Division of the New York City Council:)

February 26, 2015

February 26, 2015

TO: Hon. Julissa Ferreras
Chair, Finance Committee

Members of the Finance Committee

FROM: Rebecca Chasan, Assistant Council, Finance Division

RE: Finance Committee Agenda of February 26, 2015 - Resolution approving a tax exemption for one Land Use Item (Council District 11)

Schervier Apartments

Schervier Apartments consists of 1 building with 155 units of rental housing for low-income senior citizens. The project was originally developed under the Section 202 Supportive Housing Program with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and a tax exemption from the City. Under the proposed project, Bon/Secours New York Housing Development Fund Corporation (“HDFC”) will acquire the property and Schervier Apartments, LLC will be the beneficial owner of and will operate the project. The acquisition and financing of the project will be facilitated by proceeds from the refinancing of the existing mortgage under the HUD Section 223(f) program. In connection with such refinancing, the HDFC, the LLC, and the City’s Department of Housing and Preservation Development (“HPD”) will enter into a regulatory agreement requiring that the housing units be rented to senior citizens whose incomes do not exceed 50% of the Area Median Income (“AMI”). In 2013, 50% of AMI was \$41,950 for a family of four, \$37,800 for a family of three, \$33,600 for a family of two, and \$29,400 for an individual.

Pursuant to Section 577 of the Private Housing Finance Law, HPD is requesting that the Council grant the property a partial 35-year exemption from real property taxation which will be coterminous with the period of the regulatory agreement.

This item has the approval of Council Member Cohen.

Summary:

- Council District – 11
- Council Member – Cohen
- Council Member approval – Yes
- Borough – Bronx
- Block/Lot – 5750/500

February 26, 2015

542

- Number of Buildings – 1
- Number of Units – 155
- Type of Exemption – Article XI, partial 35 years
- Population Served – Rentals for low-income seniors
- Sponsor/Developer – Bon/Secours New York Housing Development Fund Corporation and Schervier Apartments, LLC
- Cost of the Exemption over the Full Exemption Period – \$7,150,555
- Open Violations or Outstanding Debt to the City – None
- Income Limitations – rentals are for seniors earning up to 50% of AMI

Accordingly, this Committee recommends its adoption.

In connection herewith, Council Member Ferreras offered the following resolution:

Res. No. 600

Resolution approving a partial exemption from real property taxes for property located at (Block 5750, Lot 500) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 179).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 19, 2014 that the Council take the following action regarding a housing project located at (Block 5750, Lot 500) the Bronx (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

WHEREAS, the project description that HPD provided to the Council states that the purchaser of the Project (the “Sponsor”) is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

WHEREAS, the Council has considered the financial implications relating to the Tax Exemption;

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

- (a) "Company" shall mean Schervier Apartments, LLC.
- (b) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, and (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- (c) "Exemption Area" shall mean the real property located in the Borough of Bronx, City and State of New York, identified as Block 5750, Lot 500 on the Tax Map of the City of New York.
- (d) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- (e) "HDFC" shall mean Bon Secours New York Housing Development Fund Corporation.
- (f) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (g) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
- (h) "Owner" shall mean, collectively, the HDFC and the Company.
- (i) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on April 28, 1983 (Cal. No. 300).
- (j) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- (k) "Shelter Rent" shall mean the total rents received from the commercial and rental occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.
- (l) "Shelter Rent Tax" shall mean \$131,688 plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents

applicable to the housing project for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended), exceed the total contract rents which are authorized as of six (6) months from the Effective Date.

2. The Prior Exemption shall terminate upon the Effective Date.

3. All of the value of the property, including both the land and the improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

4. Commencing upon the Effective Date and during each year thereafter until the Expiration Date, the New Owner shall make annual real property tax payments in the sum of the Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided by an existing or future local, state, or federal law, rule or regulation.

5. Notwithstanding any provision hereof to the contrary:

a. The New Exemption shall terminate if HPD determines that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the New Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.

c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

6. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any

additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

MARK LEVINE, *Acting Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 26, 2015. *Other Council Members Attending: Cohen.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Land Use

Report for L.U. No. 170

Report of the Committee on Land Use in favor of approving Application No. N 150083 ZRM submitted by D Solnick Design and Development, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), Borough of Manhattan, Community Board 4, Council District 3.

The Committee on Land Use to which the annexed Land Use item was referred on January 22, 2015 (Minutes, page 363) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 4

N 150083 ZRM

City Planning Commission decision approving an application submitted by D Solnick Design & Development pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District).

INTENT

The zoning text amendment would facilitate the development of an approximately 16,500 gsf of residential space (7 units) and 2,469 gsf of ground-floor community facility space at a 120-foot, 11-story building located at 441 West 37th Street in the Hudson Yards neighborhood of Community District 4 in Manhattan.

February 26, 2015

546

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

In connection herewith, Council Members Greenfield and Weprin offered the following resolution:

Res. No. 601

Resolution approving decision of the City Planning Commission on Application No. N 150083 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District) in Community District 4, Borough of Manhattan (L.U. No. 170).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 23, 2015 its decision dated January 21, 2015 (the "Decision"), pursuant to Section

201 of the New York City Charter, regarding an application submitted by D Solnick Design & Development, for an amendment of the text of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 3 (Special Hudson Yards District), to amend the zoning text for Section 93-542 (Height and Setback in Subareas D4 and D5) in order to modify the underlying ‘sliver law’ affecting height limits in the two subareas. The modification would allow sites that are less than 45 feet in width on narrow streets to be built up to the height of the tallest abutting building. The proposed action would facilitate development of an approximately 16,500 gsf of residential space (7 units) and 2,469 gsf of ground-floor community facility space on the project site consisting of a 120-foot, 11-story building, located at 441 West 37th Street in the Hudson Yards neighborhood (Application No. N 150083 ZRM), Community District 4, Borough of Manhattan (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 24, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP024M) issued on September 29, 2014 (the “Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150083 ZRM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added.

Matter in ~~strikeout~~ is to be deleted.

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

ARTICLE IX

SPECIAL PURPOSE DISTRICTS

**Chapter 3
Special Hudson Yards District**

* * *

93-542

Height and setback in Subareas D4 and D5

In Subareas D4 and D5 of Hell's Kitchen Subdistrict D, the underlying height and setback regulations shall apply, except that:

(a) the rooftop regulations set forth in Section 93-41 shall apply;

(b) within the C2-5 District of Subarea D4, ~~commercial uses~~ shall be limited to two ~~stories~~ or a height of 30 feet, whichever is less; ~~and~~

(c) within the C1-7A District of Subarea D5, recesses in the ~~street wall~~ of any ~~building~~ facing Ninth Avenue shall not be permitted within 20 feet of an adjacent ~~building~~ or within 30 feet of the intersection of two ~~street lines~~, except as provided for permitted corner articulation;

and

(d) the regulations set forth in paragraph (d) of Section 23-692 (Height limitations for narrow buildings or enlargements) shall be modified to allow portions of buildings with street walls less than 45 feet in width to reach the height of the tallest abutting building without regard to the width of the street onto which such building fronts.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 171

Report of the Committee on Land Use in favor of approving Application No. 20155265 HKQ (N 150176 HKQ), pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Hawthorne Court Apartments, 215-37 to 215-43 43rd Avenue and 42-22 to 42-38 216th Street (Block 6306, Lot 15) (Designation List No. 476/ LP No. 2461), Borough of Queens, Community Board 11, Council District 19, as a landmark.

The Committee on Land Use to which the annexed Land Use item was referred on January 22, 2015 (Minutes, page 363) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 11

20155265 HKQ (N 150176 HKQ)

Designation by the Landmarks Preservation Commission (List No. 476, LP-2461) pursuant to Section 3020 of the New York City Charter of the Hawthorne Court Apartments located at 215-37 to 215-43 43rd Avenue and 42-22 to 42-38 216th Street (Tax Map Block 6306, Lot 15), as an historic landmark.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor: Koo, Arroyo, Mendez, Barron, Kallos

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: Ignizio

Abstain: *None*

In connection herewith, Council Member Greenfield and Koo offered the following resolution:

Res. No. 602

Resolution affirming the designation by the Landmarks Preservation Commission of the Hawthorne Court Apartments located at 215-37 to 215-43 43rd Avenue and 42-22 to 42-38 216th Street (Tax Map Block 6306, Lot 15), Borough of Queens, Designation List No. 476, LP-2461 (L.U. No. 171; 20155265 HKQ; N 150176 HKQ).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 4, 2014 a copy of its designation dated November 25, 2014 (the "Designation"), of the Hawthorne Court Apartments located at 215-37 to 215-43 43rd Avenue and 42-22 to 42-38 216th Street, Community District 11, Borough of Queens, as a landmark and Tax Map Block 6306, Lot 15, as its landmark site pursuant to Section 3020 of the New York City Charter;

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on January 23, 2015, its report on the Designation dated January 21, 2015 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 24, 2015; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 172

Report of the Committee on Land Use in favor of approving Application No. 20155146 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of PPF Holdings LLC, d/b/a McCoy, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 89 MacDougal Street, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

The Committee on Land Use to which the annexed Land Use item was referred on January 22, 2015 (Minutes, page 363) and was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 2****20155146 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of PPF Holdings LLC, d/b/a McCoy, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 89 MacDougal Street.

February 26, 2015

552

INTENT

To allow an eating or drinking place located on a property which abuts the street to continue to maintain and operate an unenclosed service area on the sidewalk of such street.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee approve the Petition.

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

In connection herewith, Council Members Greenfield and Weprin offered the following resolution:

Res. No. 603

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 89 MacDougal Street, Borough of Manhattan (20155146 TCM; L.U. No. 172).

By Council Members Greenfield and Weprin.

WHEREAS, the Department of Consumer Affairs filed with the Council on January 7, 2015 its approval dated December 31, 2014 of the petition of PPF Holdings LLC, d/b/a McCoy, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 89 MacDougal Street, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

WHEREAS, the Petition is subject to review by the Council pursuant to Section 20-226(g) of the Administrative Code;

WHEREAS, upon due notice, the Council held a public hearing on the Petition on February 24, 2015; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Petition;

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 173

Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. C 140353 ZSM submitted by 102 Greene Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the applicable district bulk and use regulations to allow for residential use and an enlargement on the property located at 102 Greene Street, within the Soho Cast-Iron Historic District, Borough of

Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use to which the annexed Land Use item was referred on February 12, 2014 (Minutes, page 494) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 2

C 140353 ZSM

City Planning Commission decision approving an application submitted by 102 Greene Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. Section 43-17 - to allow the enlargement of an existing 3-story building containing joint living-work quarters for artists (JLWQA); and
2. Section 42-10 - to allow residential use (U.G. 2 use) on portions of the ground floor, 2nd - 3rd floors and within the proposed 4th - 5th floors and duplex penthouse levels;

on property located at 102 Greene Street (Block 499, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District.

By letter dated February 19, 2015 and submitted to the City Council on February 20, 2015, the Applicant withdrew the application.

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the application by the Applicant.

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: *None*

Abstain: *None*

COMMITTEE ACTION**DATE:** February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

In connection herewith, Council Members Greenfield and Weprin offered the following resolution:

Res. No. 604

Resolution approving a motion to file pursuant to withdrawal of the application by the Applicant regarding the decision of the City Planning Commission on ULURP No. C 140353 ZSM (L.U. No. 173), for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify Section 43-17 - to allow the enlargement of an existing 3-story building containing joint living-work quarters for artists (JLWQA) and Section 42-10 - to allow residential use (U.G. 2 use) on portions of the ground floor, 2nd - 3rd floors and within the proposed 4th - 5th floors and duplex penthouse levels on property located at 102 Greene Street (Block 499, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District, Borough of Manhattan.

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on January 23, 2015 its decision dated January 21, 2015 (the "Decision"), on the application submitted by 102 Greene Owner LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. Section 43-17 - to allow the enlargement of an existing 3-story building containing joint living-work quarters for artists (JLWQA); and
2. Section 42-10 - to allow residential use (U.G. 2 use) on portions of the ground floor, 2nd - 3rd floors and within the proposed 4th - 5th floors and duplex penthouse levels;

February 26, 2015

556

on property located at 102 Greene Street (Block 499, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District (ULURP No. C 140353 ZSM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-711 of the Zoning Resolution of the City of New York;

WHEREAS, the Council has considered the land use and environmental implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the revised negative declaration (CEQR No. 14DCP199M) issued on January 20, 2015 (the "Revised Negative Declaration");

WHEREAS, by submission dated February 19, 2015 and submitted to the Council on February 20, 2015, the Applicant withdrew the application.

RESOLVED:

The Council approves the motion to file pursuant to withdrawal in accord with Rules 6.40a, 7.90 and 11.80 of the Rules of the Council.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

Coupled to be Filed Pursuant to a Letter of Withdrawal

Report for L.U. No. 175

Report of the Committee on Land Use in favor of approving Application No. C 150076 ZMK submitted by Lula Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, establishing a C2-4 District within an existing R5 District, in the area of Fort Hamilton Parkway and East 4th Street, Borough of Brooklyn, Community Board 7, Council District 39.

The Committee on Land Use to which the annexed Land Use item was referred on February 12, 2014 (Minutes, page 495) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 7

C 150076 ZMK

City Planning Commission decision approving an application submitted by Lula Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C2-4 District bounded by Fort Hamilton Parkway, a line perpendicular to the southeasterly street line of Fort Hamilton Parkway distant 25 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and easterly street line of East 4th Street, a line 100 feet southeasterly of Fort Hamilton Parkway, and a line perpendicular to the southeasterly line of Fort Hamilton Parkway distant 30 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and westerly street line of East 4th Street, as shown on a diagram (for illustrative purposes only) dated September 29, 2014.

INTENT

This zoning map amendment would create a C2-4 district within an existing R5 district in the Special Ocean Parkway District to bring existing commercial uses into conformance, to facilitate an unenclosed sidewalk café at 2826 Ft. Hamilton Parkway (Block 5318, Lot 1) in Windsor Terrace, in Brooklyn's Community District 7.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

In connection herewith, Council Greenfield and Weprin offered the following resolution:

Res. No. 605

Resolution approving the decision of the City Planning Commission on ULURP No. C 150076 ZMK, a Zoning Map amendment (L.U. No. 175).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on February 6, 2015 its decision dated February 4, 2015 (the "Decision"), on the application submitted by Lula Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C2-4 District bounded by Fort Hamilton Parkway to facilitate an unenclosed sidewalk café at 2826 Ft. Hamilton Parkway (Block 5318, Lot 1) in Windsor Terrace, in Community District 7 (ULURP No. C 150076 ZMK), Borough of Brooklyn (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 24, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP038K) issued on September 29, 2014 (the “Negative Declaration”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 150076 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 22c, by establishing within an existing R5 District a C2-4 District bounded by Fort Hamilton Parkway, a line perpendicular to the southeasterly street line of Fort Hamilton Parkway distant 25 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and easterly street line of East 4th Street, a line 100 feet southeasterly of Fort Hamilton Parkway, and a line perpendicular to the southeasterly line of Fort Hamilton Parkway distant 30 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly street line of Fort Hamilton Parkway and westerly street line of East 4th Street, as shown on a diagram (for illustrative purposes only) dated September 29, 2014, Community District 7, Borough of Brooklyn.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 176

Report of the Committee on Land Use in favor of approving Application No. C 140288 ZMK submitted by Fort Hamilton, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning

February 26, 2015

560

Map, Section Nos. 22a and 22c, changing an existing R5 District to an R6 District and establishing a C1-3 District within the proposed R6 District, in the area of Fort Hamilton Parkway and 54th Street, Borough of Brooklyn, Community Board 12, Council District 38.

The Committee on Land Use to which the annexed Land Use item was referred on February 12, 2014 (Minutes, page 495) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 12

C 140288 ZMK

City Planning Commission decision approving an application submitted by Fort Hamilton, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 22a and 22c:

1. changing from an R5 District to an R6 District property bounded by a line 100 feet northwesterly of Fort Hamilton Parkway, 53rd Street, Fort Hamilton Parkway, and a line 120 feet southwesterly of 54th Street; and
2. establishing within the proposed R6 district a C1-3 District bounded by a line 100 feet northwesterly of Fort Hamilton Parkway, 54th Street, Fort Hamilton Parkway, and a line 120 feet southwesterly of 54th Street;

as shown on a diagram (for illustrative purposes only) dated October 20, 2014, and subject to the conditions of CEQR Declaration E-341.

INTENT

This zoning map amendment would change portions of two blocks from an R5 district with a C1-3 overlay to an R6 district with a C1-3 overlay, in order to facilitate the construction of a six-story, 50,669 square-foot community facility and commercial development which will contain an ambulatory and diagnostic treatment facility with medical offices and a birthing center, along with a ground floor partially used for retail use in the Borough Park neighborhood of Brooklyn's Community District 12.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor: Weprin, Gentile, Garodnick, Williams, Wills, Richards, Reynoso, Torres, Ignizio

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

In connection herewith, Council Members Greenfield and Weprin offered the following resolution:

Res. No. 606

Resolution approving the decision of the City Planning Commission on ULURP No. C 140288 ZMK, a Zoning Map amendment (L.U. No. 176).

By Council Members Greenfield and Weprin.

WHEREAS, the City Planning Commission filed with the Council on February 6, 2015 its decision dated February 4, 2015 (the "Decision"), on the application submitted by Fort Hamilton, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 22a and 22c, changing portions of two blocks from an R5 district with a C1-3 overlay to an R6 district with a C1-3 overlay, in order to facilitate the construction of a six-story, 50,669 square-foot community facility and commercial development located on the southwest intersection of Fort Hamilton Parkway and 54th Street (Block 5673, Lots 42 & 50) in the Borough Park neighborhood of Brooklyn, containing an ambulatory and diagnostic treatment facility with medical offices and a birthing center, along

February 26, 2015

562

with a ground floor partially used for retail use (ULURP No. C 140288 ZMK), Community District 12, Borough of Brooklyn (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 24, 2015;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the conditional negative declaration (CEQR No. 14DCP135K) issued on February 2, 2015 (the "Conditional Negative Declaration");

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Conditional Negative Declaration.

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 140288 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 22a and 22c:

1. changing from an R5 District to an R6 District property bounded by a line 100 feet northwesterly of Fort Hamilton Parkway, 53rd Street, Fort Hamilton Parkway, and a line 120 feet southwesterly of 54th Street; and
2. establishing within the proposed R6 district a C1-3 District bounded by a line 100 feet northwesterly of Fort Hamilton Parkway, 54th Street, Fort Hamilton Parkway, and a line 120 feet southwesterly of 54th Street;

as shown on a diagram (for illustrative purposes only) dated October 17, 2014, and subject to the conditions of CEQR Declaration E-341, Community District 12, Borough of Brooklyn.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 177

Report of the Committee on Land Use in favor of approving Application No. 20155270 HKQ (N 150202 HKQ) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Central Ridgewood Historic District (List No. 477, LP-2448), Borough of Queens, Community Board 5, Council District 30.

The Committee on Land Use to which the annexed Land Use item was referred on February 12, 2014 (Minutes, page 496) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 5

20155270 HKQ (N 150202 HKQ)

Designation by the Landmarks Preservation Commission (List No. 477/LP-2448), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the Central Ridgewood Historic District.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: Four

Witnesses Against: One

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor: Koo, Arroyo, Mendez, Barron, Kallos

Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None* **Abstain:** *None*

In connection herewith, Council Members Greenfield and Koo offered the following resolution:

Res. No. 607

Resolution affirming the designation by the Landmarks Preservation Commission of the Central Ridgewood Historic District, Borough of Queens, Designation List No. 477, LP-2448 (L.U. No. 177; 20155270 HKQ; N 150202 HKQ).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 19, 2014 a copy of its designation dated December 9, 2014 (the "Designation"), of the Central Ridgewood Historic District, Community District 5, Borough of Queens.

The Central Ridgewood Historic District in the Borough of Queens consists of the properties bounded by a line beginning at the northwest corner of Fresh Pond Road and 71st Avenue, then extending westerly along the northern curblineline of 71st Avenue to a point in said curblineline formed by its intersection with a line extending northerly from the eastern property line of 60-84 71st Avenue, southerly across 71st

Avenue and along said property line, westerly along the southern property lines of 60-84 to 60-56 71st Avenue, across 60th Lane and continuing westerly along the southern property lines of 60-50 to 60-34 71st Avenue, northerly along a portion of the western property line of 60-34 71st Avenue, westerly along the southern property lines of 60-32 to 60-20 71st Avenue, northerly along the western property line of 60-20 71st Avenue and across 71st Avenue to its northern curbline, westerly along said curbline, northerly along the western property line of 59-11 71st Avenue, easterly along the northern property line of 59-11 71st Avenue and a portion of the northern property line of 59-13 71st Avenue, northerly along the western property line of 59-22 70th Avenue and across 70th Avenue to its northern curbline, westerly along said curbline, continuing across Forest Avenue to the northeast corner of 70th Avenue and Onderdonk Avenue, northerly along the eastern curbline of Onderdonk Avenue, easterly along the southern curbline of Catalpa Avenue to the southeast corner of Catalpa Avenue and Forest Avenue, northerly across Catalpa Avenue and along the eastern curbline of Forest Avenue, easterly along the northern property lines of 59-01 to 59-11 Catalpa Avenue, northerly along the western property line of 59-14 68th Road and across 68th Road to its northern curbline, westerly along said curbline, northerly along the western property line of 59-13 68th Road, easterly along a portion of the northern property line of 59-13 68th Road, northerly along the western property line of 59-12 68th Avenue to the southern curbline of 68th Avenue, easterly along said curbline, southerly along the western curbline of 60th Street, westerly along the southern property line of 68-14 60th Street, southerly along the western property lines of 68-16 to 68-24 60th Street, easterly along the northern property line of 68-26 60th Street, southerly along the western curbline of 60th Street to the southwest corner of 60th Street and Catalpa Avenue, easterly across 60th Street and along the southern curbline of Catalpa Avenue to a point formed by its intersection with a line extending southerly from the western property line of 60-43 Catalpa Avenue, northerly across Catalpa Avenue and along said property line, westerly along the southern property lines of 60-42 to 60-16 68th Road, northerly along the western property line of 60-16 68th Road, easterly along the southern curbline of 69th Road to a point formed by its intersection with a line extending southerly from the western property line of 60-27 68th Road, northerly across 68th Road and along said property line, westerly along the southern property lines of 60-26 and 60-24 68th Avenue, northerly along the western property line of 60-24 68th Avenue to the northern curbline of 68th Avenue, westerly along said curbline, northerly along the western property line of 60-23 68th Avenue (Block 3512, Lot 57), easterly along the northern property lines of 60-23 to 60-41 68th Avenue, northerly along the western property line of 60-46 67th Avenue to its northern curbline, westerly along said curbline, continuing across 60th Place to the northeast corner of 67th Avenue and 60th Street, northerly along said curbline, easterly along the northern property lines of 60-01 to 60-19 67th Avenue and across 60th Place to the eastern curbline of 60th Place, northerly along said curbline and across Putnam Avenue to the northeast corner of Putnam Avenue and 60th Place, westerly across 60th Place and along the northern curbline of 60th Place to a point in said curbline formed by a line extending northerly from the eastern property line of 60-14 Putnam Avenue, southerly along said line and the eastern property line of 60-14 Putnam Avenue, westerly along the southern property lines of 60-14 to 60-02 Putnam Avenue to the western curbline of

60th Street, southerly along said curblines and along the southern property lines of 59-32 to 59-28 Putnam Avenue and a portion of the southern property line of 59-24 Putnam Avenue, southerly along a portion of the eastern property line of 59-24 Putnam Avenue, westerly along a portion of the southern property line of 59-24 Putnam Avenue, northerly along the western property line of 59-24 Putnam Avenue to the northern curblines of Putnam Avenue, westerly along said curblines to the northeast corner of Putnam Avenue and Forest Avenue, northerly along the eastern curblines of Forest Avenue, easterly along the southern curblines of Madison Street to a point formed by its intersection with a line extending southerly from the western property line of 59-15 Madison Street, northerly across Madison Street and along said property line, easterly along the northern property lines of 59-15 to 59-55 Madison Street, continuing across 60th Place to its eastern curblines, northerly along said curblines to the southeast corner of 60th Place and Woodbine Street, easterly along the southern curblines of Woodbine Street, southerly along the eastern property line of 60-18 Woodbine Street, easterly along the northern property lines of 60-15 to 60-19 Madison Street, southerly along the eastern property line of 60-19 Madison Street to the southern curblines of Madison Street, easterly along said curblines, southerly along the eastern property line of 60-24 Madison Street, easterly along the southern property lines of 60-30 to 60-72 Madison Street, southerly along the eastern property line of 60-95 Putnam Avenue, westerly along the northern curblines of Putnam Avenue to a point formed by its intersection with a line extending northerly from the eastern property line of 60-82 Putnam Avenue, southerly across Putnam Avenue and along said property line, easterly along the northern property line of 66-11 Stier Place, southerly along the eastern property lines of 60-11 to 60-15 Stier Place, easterly along the northern property lines of 60-85 and 60-87 67th Avenue, southerly along the eastern property line of 60-87 67th Avenue to the southern curblines of 67th Avenue, easterly along said curblines, southerly along the eastern property lines of 60-92 67th Avenue and 60-89 68th Avenue, continuing across 68th Avenue and along the eastern property lines of 60-92 68th Avenue and 60-89 68th Road, westerly along the northern curblines of 68th Road to a point formed by its intersection with a line extending northerly from the eastern property line of 60-70 68th Road, southerly across 68th Road and along the eastern property lines of 60-70 68th Road and 60-67 Catalpa Avenue to the southern curblines of Catalpa Avenue, easterly along said curblines, southerly along the eastern property line of 60-86 Catalpa Avenue, easterly along the southern property line of 68-52 Fresh Pond Road to the western curblines of Fresh Pond Road, southerly along said curblines, continuing across 69th Avenue and 70th Avenue to the point of the beginning.

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on February 6, 2015, its report on the Designation dated February 4, 2015 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 24, 2015; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for L.U. No. 178

Report of the Committee on Land Use in favor of approving Application No. 20155273 HKK (N 150204 HKK) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Chester Court Historic District (List No. 478, LP-2567), Borough of Brooklyn, Community Board 9, Council District 40.

The Committee on Land Use to which the annexed Land Use item was referred on February 12, 2014 (Minutes, page 496) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 9

20155273 HKK (N 150204 HKK)

February 26, 2015

568

Designation by the Landmarks Preservation Commission (List No. 478/LP-2567), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the Chester Court Historic District.

PUBLIC HEARING

DATE: February 24, 2015

Witnesses in Favor: Three **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: February 24, 2015

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor: Koo, Arroyo, Mendez, Barron, Kallos

Against: *None* **Abstain:** *None*

COMMITTEE ACTION

DATE: February 25, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Arroyo, Dickens, Garodnick, Mealy, Mendez, Koo, Lander, Weprin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None* **Abstain:** *None*

In connection herewith, Council Members Greenfield and Koo offered the following resolution:

Res. No. 608

Resolution affirming the designation by the Landmarks Preservation Commission of the Chester Court Historic District, Borough of Brooklyn, Designation List No. 478, LP-2567 (L.U. No. 178; 20155273 HKK; N 150204 HKK).

By Council Members Greenfield and Koo.

WHEREAS, the Landmarks Preservation Commission filed with the Council on December 29, 2014 a copy of its designation dated December 16, 2014 (the "Designation"), of the Chester Court Historic District, Community District 9, Borough of Brooklyn.

The Chester Court Historic District consists of the properties bounded by a line beginning at the southeastern corner of 16 Chester Court, then extending northerly along the eastern property line of 16 Chester Court, westerly along the northern property lines of 16 through 32 Chester Court, southerly along the western property line of 32 Chester Court, continuing southerly along a line extending from the western property line of 32 Chester Court to the western property line of 31 Chester Court, along the western property line of 31 Chester Court, easterly along the southern property lines of 31 through 15 Chester Court, northerly along the eastern property line of 15 Chester Court, and northerly across Chester Court to the point of beginning. The boundary description is intended to encompass the wall adjacent to the western edge of Chester Court between lot 168 (32 Chester Court) and lot 169 (31 Chester Court).

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the City Charter;

WHEREAS, the City Planning Commission submitted to the Council on February 6, 2015, its report on the Designation dated February 4, 2015 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on February 24, 2015; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation;

RESOLVED:

Pursuant to Section 3020 of the City Charter, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, VINCENT M. IGNIZIO; Committee on Land Use, February 25, 2015. *Other Council Members Attending: Ferreras.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report of the Committee on Parks and Recreation

Report for Int. No. 74-A

Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the removal of trees downed or damaged as a result of a severe weather event.

The Committee on Parks and Recreation, to which the annexed amended proposed local law was referred on February 26, 2014 (Minutes, page 430), respectfully

REPORTS:

INTRODUCTION

On February 25, 2015, the Committee on Parks and Recreation, chaired by Council Member Mark Levine will conduct a hearing to vote on Proposed Int. No. 74-A, A Local Law to amend the administrative code of the city of New York, in relation to the removal of trees downed or damaged as a result of a severe weather event.” The Committee first considered an earlier version of this bill, Int. No 74, at a hearing held on June 19, 2014.

BACKGROUND

All trees growing in the public right-of-way, along streets and in parks and playgrounds, are under the jurisdiction of the Department of Parks and Recreation (DPR)¹ and DPR, in conjunction with the borough forestry offices, provides a number of basic services for the roughly half million street trees.² These include removing dead trees, pruning trees, responding to storms and other emergencies, and assisting with the control of invasive pests.

Typically, DPR advises that if a tree has fallen or sustained storm damage, City residents should call 311, however, if a tree emergency has put lives in immediate danger, DPR advises residents to call 911.³ In a severe storm, clearing roads and securing all damaged trees is DPR’s first priority.⁴ The Office of Emergency Management convenes the Downed Tree Taskforce consisting of DPR, Police, Fire, 311, Sanitation, Transportation and representatives from the major utility companies.⁵ During a storm like Hurricane Sandy, the Downed Tree Taskforce responded to approximately 20,000 street tree emergencies received through 311.⁶

Although trees growing in the public right-of-way, along streets and in parks and playgrounds are under the jurisdiction of DPR, there has been confusion as to which agency or company is responsible for a tree that has fallen on power lines. At a City Council hearing on January 18, 2013, Consolidated Edison Company of New York (Con Edison) testified that they are responsible for the overhead power lines. When a tree falls on a power line, Con Edison will respond with tree crews and line crews in order to clear just enough tree debris to get access to the power lines.⁷ Con Edison is not responsible for tree removal.

However, there is often confusion for city agencies on which power lines have been de-energized around a fallen tree which can cause delays in tree removal for DPR and Sanitation.⁸ In some instances, DPR or Sanitation will respond to a 311 call and not remove a tree because they do not know if the power lines around the tree are still active.⁹ In some instances, DPR may be unaware that Con Edison has already responded and cut the power lines, making it safe for the agency to remove a particular tree.¹⁰ Con Edison has testified that they want to develop a universal process of tagging power lines that have already been de-energized and are deemed safe for tree removal which would improve miscommunications that typically occur in these situations.¹¹

Proposed Int. No. 74-A

Proposed Int. No. 74-A amends title 18 of the administrative code to add a new section 18-142 which would require the creation of a downed tree protocol. This bill is to establish a process by which city agencies and local electric corporations and utility companies can more efficiently operate together when downed or damaged trees intermix with electrical wires. Such a protocol is intended to foster not only quicker removal times for trees downed by weather events but also could better ensure the safety of tree removal workers, when operating in proximity to electrical infrastructure.

Section one of Proposed Int. No. 74-A would add a new section 18-142 to Title 18 of the Administrative Code entitled “Tree removal protocol.”

Subdivision a would require DPR, in consultation with the office of emergency management, department of sanitation, local electric corporations, and other utility corporations, to develop a protocol for the removal of trees on city property that have been downed or damaged as a result of severe weather events.

Paragraph (1) of subdivision a would require DPR to establish effective means of communication with local electric corporations and other utility corporations identified, so that DPR is notified in a timely manner regarding downed or damaged trees that have fallen on powered electrical wires or cables, and whether it is safe to remove such trees.

Paragraph (2) of subdivision a would require DPR to coordinate city personnel engaged in tree removal on city property, upon receiving information regarding the status of downed or damaged trees.

Paragraph (3) of subdivision a would require DPR to establish a system whereby each report of downed or damaged trees is provided with a unique identifier or tracking number and a method to notify the utility corporations when a downed or damaged tree on city property has been removed.

Paragraph (4) of subdivision a would require DPR to establish a system whereby department personnel engaged in tree removal could be deployed with utility corporation personnel, if practicable, to assess and remove downed or damaged trees that have fallen on powered electrical wires or cables.

Subdivision b would require DPR to publish information prominently on its website instructing persons on how to notify the city of downed or damaged trees or downed wires as soon as is practicable after a severe weather event.

Subdivision c would require DPR to submit a description of the protocol to the Mayor and the Speaker of the City Council, as well as publish the description prominently on its website, within one hundred eighty days after the enactment of this local law.

Section two of Proposed Int. No. 74-A contains the enactment clause and provides that the bill would take ninety days after its enactment.

¹ New York City Charter Section 533(a)(4); Admin. Code Sections 18-104 and 18-105

² See, New York City Department of Parks and Recreation, http://www.nycgovparks.org/sub_your_park/trees_greenstreets.html

³ See, New York City Department of Parks and Recreation, Storm Response, <http://www.nycgovparks.org/services/forestry/storm-response>.

⁴ See, New York City Department of Parks and Recreation Website, Storm Response, <http://www.nycgovparks.org/services/forestry/storm-response>.

⁵ Testimony of the New York City Department of Parks and Recreation Commissioner Veronica M. White, New York City Council’s Committees on Parks and Recreation, Health and Mental Hygiene, Sanitation and Environmental Protection Hearing, February 28, 2013.

⁶ *Id.*

⁷ Testimony of Consolidated Edison Company of New York Senior Vice President of Electric Operations John Miksad, New York City Council’s Committees on Lower Manhattan Redevelopment, Consumer Affairs and Technology Hearing, January 18, 2013.

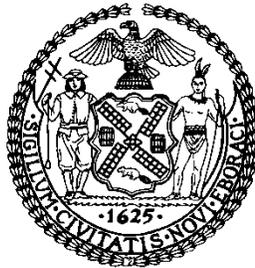
⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 74-A:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION**

**LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO.: 74-A
COMMITTEE: Parks
and Recreation**

TITLE: A local law to amend the administrative code of the city of New York, in relation to the removal of trees

SPONSOR(S): Council Members King, Arroyo, Chin, Dickens, Koo, Levine, Palma, Rose, Williams,

downed or damaged as a result of a severe weather event. Rosenthal, Richards, Cohen, Weprin, Constantinides, Deutsch, Maisel, Lancman, Torres, Rodriguez, Vallone, Treyger, Cornegy, Mendez and Miller

SUMMARY OF LEGISLATION: The proposed bill would require the Department of Parks and Recreation (DPR) to establish a tree removal protocol for trees on City property that were downed or damaged as a result of severe weather events. The protocol must include a process for timely notifications between the local electric corporations and DPR regarding tree removal; a unique identifier to be assigned to each downed or damaged tree; and the co-deployment of City and local electric corporation personnel to assess and remove downed trees that have fallen on electric wires.

The legislation would require that a description of the protocol be posted on the DPR's website and submitted to the Mayor and the City Council and that DPR prominently post information on its website about how to notify the City of a downed or damaged tree or downed wires after a severe weather event.

EFFECTIVE DATE: This local law would take effect ninety days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because existing

February 26, 2015

574

resources would be used to develop and implement the protocol required by the legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Chima Obichere, Unit Head, New York City Council Finance Division

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York City Council Finance Division

Tanisha Edwards, Chief Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 74 was introduced to the Council on February 26, 2014 and referred to the Committee on Parks and Recreation. The Committee on Parks and Recreation and the Committee on Recovery and Resiliency held a joint hearing on Intro. No. 74 on June 19, 2014 and the legislation was laid over. Intro. No. 74 was subsequently amended, and the amended version, Proposed Intro. No. 74-A will be voted on by the Committee on Parks and Recreation on February 25, 2015. Upon successful vote by the Committee, Proposed Intro. No. 74-A will be submitted to the full Council for a vote on February 26, 2015.

DATE PREPARED: February 24, 2015.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 74-A:)

Int. No. 74-A

By Council Members King, Arroyo, Chin, Dickens, Koo, Levine, Palma, Rose, Williams, Rosenthal, Richards, Cohen, Weprin, Constantinides, Deutsch, Maisel, Lancman, Torres, Rodriguez, Vallone, Treyger, Cornegy, Mendez, Miller, Mealy, Van Bramer, Dromm, Greenfield, Kallos and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to the removal of trees downed or damaged as a result of a severe weather event.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

§ 18-142 *Tree removal protocol.* a. *The department, in consultation with the office of emergency management, department of sanitation, local electric corporations, and other utility corporations identified by the department, shall develop a protocol for the removal of trees on city property that have been downed or damaged as a result of severe weather events. Such protocol shall require the department:*

1. to establish effective means of communication with local electric corporations and other utility corporations identified by the department, so that the department is notified in a timely manner (i) of downed or damaged trees that have fallen on powered electrical wires or cables, and (ii) whether it is safe to remove such trees;

2. to effectively coordinate city personnel engaged in tree removal on city property, upon receiving information regarding the status of downed or damaged trees;

3. to establish a system whereby each report of downed or damaged trees is provided with a unique identifier or tracking number and a method to notify the local electric corporation and other utility corporations identified by the department when a downed or damaged tree on city property has been removed; and

4. to establish a system whereby department personnel engaged in tree removal may be deployed with local electric corporation or other utility corporation personnel, if practicable, to assess and remove downed or damaged trees that have fallen on powered electrical wires or cables.

b. The department shall publish prominently on its website as soon as is practicable after a severe weather event information instructing persons how to notify the city of downed or damaged trees or downed wires.

c. The department shall submit a description of such protocol to the mayor and the speaker of the council, and publish such description prominently on its website, within one hundred eighty days after the enactment of the local law that added this subdivision.

§2. This local law shall take effect ninety days after it shall have become a law.

MARK LEVINE, *Chairperson*; DARLENE MEALY, JAMES G. VAN BRAMER, ANDREW COHEN, ALAN N. MAISEL, MARK TREYGER; Committee on Parks and Recreation, February 25, 2015. *Other Council Members Attending: King.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Reports of the Committee on Veterans

Report for Int. No. 600-A

Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to transparency regarding veterans served by agencies.

The Committee on Veterans, to which the annexed amended proposed local law was referred on December 17, 2014 (Minutes, page 4545), respectfully

REPORTS:

INTRODUCTION

On February 25, 2015, the Committee on Veterans, chaired by Council Member Eric Ulrich, will hold a second hearing on Proposed Int. No. 600-A, a local law to amend the administrative code of the city of New York in relation to transparency regarding veterans served by agencies. The Committee first heard testimony on the original bill on February 10, 2015, after which time the bill was amended. At this hearing, representatives of the Mayor's Office of Veterans Affairs, the Veterans Advisory Board, veteran advocates, and service providers provided testimony.

Proposed Int. No. 600-A would require the New York City Housing Authority (NYCHA), the Department of Housing Preservation and Development (HPD), the Department of Health and Mental Hygiene (DOHMH), the Department of Consumer Affairs (DCA), and the Department of Citywide Administrative Services (DCAS) to provide data as to veterans applying for and receiving certain agency services.

BACKGROUND

New York City's five boroughs are home to approximately 200,000 veterans.¹ Although the overall veteran population is projected to decrease as World War II, Korea, and Vietnam veterans age,² many of those who served in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom will separate from the military in the coming years. As they return, these veterans will face challenges in readjusting to civilian life, including access to employment, education, and health services, as well as other social supports. The City will need to be equipped with the resources and support system necessary to serve these men and women returning from active duty. Furthermore, the City will need to continue to meet the needs of its older veteran population.

The Mayor's Office of Veterans Affairs (MOVA), created by local law in 1987, serves as the City's chief military liaison to veterans, veterans' organizations, and other entities that serve City's veteran population.³ MOVA is headed by a Commissioner appointed by the Mayor.⁴ The office is tasked with the responsibility of informing the military and naval authorities of the United States and assisting

members of the armed forces and veterans, and their families, as to educational training and retraining services and facilities, health, medical and rehabilitation services and facilities, provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and veterans and their families, employment and re-employment services, and other relevant matters.⁵ MOVA is further given the responsibility of utilizing, as much as possible, existing state and city resources, including public agencies.⁶ Such agencies are required to cooperate with and extend services and facilities to MOVA as it may require.⁷

CITY-ADMINISTERED VETERANS SERVICES

Housing Programs

New York City agencies administer a number of veteran-specific services and programs. The New York City Housing Authority (NYCHA) administers the federal Veterans Affairs Supportive Housing (VASH) program through the United States Department of Housing and Urban Development (HUD) (hereinafter referred to as the “HUD-VASH program”). The HUD-VASH program combines Housing Choice Voucher (HCV) rental assistance for homeless veterans with case management and clinical services provided by the Department of Veterans Affairs (VA).⁸ VA services are provided at VA medical centers (VAMCs) and community-based outreach clinics.⁹ In FY 2015, the federal government appropriated an additional \$75 million for VASH vouchers (approximately 10,000 new vouchers nationwide)¹⁰ NYCHA is authorized to issue 2,416 vouchers, including an additional 171 vouchers funded from HUD’s October 2014 award of \$1.156 million for NYCHA’s HUD-VASH program.¹¹

Additionally in the area of housing, the New York City Department of Housing Preservation and Development (HPD) supervises the state Mitchell-Lama housing program in New York City. In November 2007, the Private Housing Finance Law was amended to require HPD to give preference to disabled veterans or their surviving spouses applying for housing under the Mitchell-Lama program.¹² This preference was later expanded in 2010 to include veterans who are not disabled, and therefore veterans who served in active duty in several wars and hostilities, including Iraq and Afghanistan, can benefit from the preference, as can their surviving spouses.¹³ A June 2012 report by the New York State Comptroller found that few veterans actually benefitted from this preference due to inaction and/or disregard by housing companies and lax oversight by HPD.¹⁴ The report made three recommendations, that HPD: 1) take additional steps to educate housing company officials about their responsibility to ensure that the preference was awarded to veterans pursuant to state law; 2) activity monitor whether housing companies are taking necessary steps to ensure that veterans are receiving the preference; and 3) to investigate the specific cases in the report where housing companies failed to offer available housing to eligible veterans.¹⁵ The Comptroller’s Office issued a follow-up letter in January 2015 which found that HPD had fully implemented the three recommendations in the June 2012 report.¹⁶

Vending Licenses

The Department of Consumer Affairs (DCA) is responsible for the licensing of street vendors in New York City. The DCA allows veterans to apply for the general vendor license at any time, while non-veteran applicants are restricted to a waiting list which is currently closed and will not reopen for further registration of non-veterans until DCA has run through the current pool of non-veteran applicants.¹⁷

The Department of Health and Mental Hygiene (DOHMH) issues both a mobile food vending operator's license (for the individual) and a mobile food unit permit (for the cart or truck).¹⁸ An individual must possess both the license and the permit to legally operate a food vending business. Persons interested in operating a food vending business are permitted to apply for an operator's license at any time, but DOHMH is limited by law in the total number of street vending permits which may be issued. DOHMH maintains waiting lists for both veterans and non-veterans, which are now closed. DOHMH has waived the license and permit fees for honorably discharged veterans of the United States Armed Forces or their surviving spouses.¹⁹

Civil Service Exams

The Department of Citywide Administrative Services is responsible for citywide personnel matters, including the administration of examinations for appointments and promotions given pursuant to the New York State Civil Service Law.

Section 85 of the Civil Service Law authorizes veterans to claim additional credits on civil service examinations.²⁰ To claim the credit, an individual must, by the date of appointment or promotion: be a resident of New York State and a United States citizen or an alien lawfully admitted for permanent residency, have received an honorable discharge or release under honorable conditions from the Armed Forces of the United States (Army, Navy, Marine Corps, Air Force, Coast Guard, and the National Guard when called into active service), and have served on full-time active duty (other than active duty for training) in the Armed Forces during World War II, the Korean War, the Vietnam War, and the Persian Gulf Conflict (defined as August 2, 1990-to be determined), or have received the Armed Forces, Navy, or Marine Corps expeditionary medal for hostilities in Lebanon, Grenada, or Panama.²¹ In addition to these requirements, veterans claiming the disabled veterans' credit must also have been found to have a service-connected disability rated at least 10 percent by the VA.²²

Under the law, disabled veterans are entitled to receive ten (10) additional points in a competitive examination for original appointment, and five (5) points additional credit in a competitive examination for promotion.²³ Non-disabled veterans are entitled to receive five (5) points additional credit in a competitive examination for original appointment, and two and one-half (2 ½) points additional credit in a competitive examination for promotion.²⁴

State law imposes certain restrictions on the use of this credit. Veterans are only permitted to use the disabled or non-disabled veterans' credit once for appointment or promotion from a City, State, or County civil service list within New York State.²⁵ Furthermore, the credit is only added to the final score of those candidates who pass all parts of the examination.²⁶

ANALYSIS

Proposed Int. No. 600-A would amend subchapter one of chapter 1 of title 3 of the Administrative Code of the City of New York to add a new section 3-116.

Subdivision a of section 3-116 would define several terms for purposes of this legislation. In addition to those terms already discussed in this report, subdivision a defines "Fee-exempt mobile food vending license" as any license as required by section 17-307 of the Administrative Code (the "Code") for which the annual fee is waived by DOHMH pursuant to subdivision (e) of Section 17-308 of the Code, "Food vending permit" as any permit required by Section 17-307 of the Code, a "General vending license" as a license as required by section 17-307 of the Code, "Mitchell-Lama housing" as "any housing development operated pursuant to article two of the Private Housing Finance Law," and a "veteran" as a "person who has served in the active military service of the United States and who has been released from such service otherwise than by dishonorable discharge."

Subdivision b of section 3-116 would require the Mayor's Office of Operations to report in writing to the Commissioner of MOVA, the Veterans Advisory Board, and the Council several pieces of data, disaggregated by borough, to the extent practicable. This data would include: (1) the total number of Mitchell-Lama housing applications received in the prior calendar year from veterans or their surviving spouses who have identified themselves as the head of household on their applications; (2) the total number of applications approved by HPD in the prior calendar year for Mitchell-Lama housing for veterans or their surviving spouses who have identified themselves as the head of household on their application; (3) the total number of fee-exempt mobile food vending licenses and food vending permits issued by DOHMH to veterans in the prior calendar year, (4) the number of general vending licenses provided by DCA to veterans in the prior year; (5) the total number of veterans who submitted an application to DCA for a vending license in the prior year; (6) the total number of veterans residing in the city who utilized a HUD-VASH voucher in the prior calendar year; and (7) the total number of civil service examination applications received by DCAS for which the applicant claims veterans credits as provided for by Section 85 of the Civil Service Law.

Subdivision c of section 3-116 would allow the data to be made part of the Mayor's Management Report, or as an independent report of the Mayor's Office of Operations, with such report being due no later than October 15th of each year.

Section two of Proposed Int. No. 600-A would provide that the law take effect immediately upon enactment into law.

¹ U.S. Department of Veterans Affairs, Population Table: Counties: Living, http://www.va.gov/VETDATA/docs/Demographics/New_Vetpop_Model/91VetPop11_County.xlsx (last

accessed Mar. 20, 2013).

² *Id.*

³ L.L. 1987/53; N.Y.C. Charter § 14.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ U.S. Department of Housing and Urban Development, *HUD-VASH Vouchers*, http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/hcv/vash (last accessed December 10, 2014)

⁹ *Id.*

¹⁰ U.S. Department of Housing and Urban Development, NYCHA Annual Agency Plan, *supra* note 37, at 16.

¹¹ *Id.*

¹² N.Y. Priv. Hous. Fin. Law § 31(7).

¹³ New York State Office of the State Comptroller, *Housing Preferences for Veterans* 5 (June 2012), available at <http://osc.state.ny.us/audits/allaudits/093012/11n3.pdf>.

¹⁴ *Id.* at 1.

¹⁵ *Id.*

¹⁶ New York State Office of the State Comptroller, *Housing Preferences for Veterans: Report 2014-F-14* (Jan. 2015), available at <http://osc.state.ny.us/audits/allaudits/093015/14f14.pdf>.

¹⁷ N.Y.C. Department of Consumer Affairs, *General Vendor*, <http://www.nyc.gov/html/dca/html/licenses/094.shtml> (last accessed Feb. 6, 2015)

¹⁸ N.Y.C. Department of Health and Mental Hygiene, *The Mobile Food Vending Process*, http://www.nyc.gov/html/doh/downloads/pdf/permit/mfv_general_info.pdf (last accessed Feb. 19, 2015)

¹⁹ N.Y.C. Department of Health and Mental Hygiene, *Instructions for Applying for an Initial Mobile Food Vendor License from the NYC Health Department*, http://www.nyc.gov/html/doh/downloads/pdf/permit/mfv_application_forms_package.pdf (last accessed Feb. 19, 2015)

²⁰ N.Y. Civil Service Law § 85.

²¹ N.Y.C. Department of Citywide Administrative Services, *Special Circumstances*, http://www.nyc.gov/html/dcas/downloads/pdf/misc/pdf_c_special_circumstances_guide.pdf (last accessed Feb. 19, 2015)

²² *Id.*

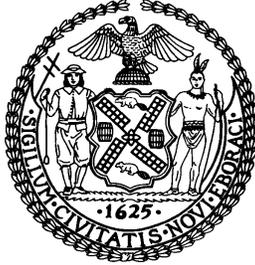
²³ N.Y. Civil Service Law § 85.

²⁴ *Id.*

²⁵ N.Y.C. Department of Citywide Administrative Services, *supra* note 21.

²⁶ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 600-A:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 600-A
COMMITTEE:
Veterans**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to transparency regarding veterans served by agencies.

SPONSOR(S): By Council Members Vallone, Ulrich, Arroyo, Cabrera, Cohen, Constantinides, Eugene, Gentile, Richards, Rose, Wills, Mendez and Maisel.

SUMMARY OF LEGISLATION This legislation would require the Mayor's Office of Operations to annually report to the Commissioner of the Mayor's Office of Veterans Affairs (MOVA), the Veterans Advisory Board, and the Council on the number of veterans receiving certain city services in the prior year, including data regarding 1) the total number of veterans applying for and residing in Mitchell-Lama housing; 2) the total number of general vending licenses applied for by and provided to veterans; 3) the total number of veterans receiving certain food vending licenses and permits; 4) the total number of veterans utilizing a HUD-VASH voucher; and 5) the total number of civil service examination applications where the applicant claims a veterans credit.

EFFECTIVE DATE: This local law would go into effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2016

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal <u>Impact FY 16</u>
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on City revenues resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: The Mayor's Office of Operations currently has access to the required data outlined in this legislation, as well as established practices to provide an annual report. Therefore, it is estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel, NYC Council Finance Division
Tanisha Edwards, Chief Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on December 17, 2014 as Intro. No. 600 and referred to the Committee on Veterans. The Committee on Veterans held a hearing on Intro. No. 600 on February 10, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version of the legislation, Proposed Intro. No. 600-A, will be considered by the Committee on Veterans on February 25, 2015. Upon successful vote of the Committee, Proposed Intro. No. 600-A will be submitted to the full Council for a vote on February 26, 2015.

DATE PREPARED: February 24, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 600-A:)

Int. No. 600-A

By Council Members Vallone, Ulrich, Arroyo, Cabrera, Cohen, Constantinides, Eugene, Gentile, Richards, Rose, Wills, Mendez, Maisel, Van Bramer, Dromm, Gibson, Greenfield, Kallos, Lander and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to transparency regarding veterans served by agencies.

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 3 of the administrative code of the city

of New York is amended by adding a new section 3-116 to read as follows:

§ 3-116 *Veterans receiving certain city services. a. For the purposes of this section, the following terms shall have the following meanings:*

(1) *“Fee-exempt mobile food vending license” means any license as required by section 17-307 of this code for which the annual fee is waived pursuant to subdivision e of section 17-308 of this code;*

(2) *“Food vending permit” means any permit as required by section 17-307 of this code;*

(3) *“General vending license” means a license as required by section 20-453 of this code;*

(4) *“HUD-VASH voucher” means any voucher funded by the United States department of housing and urban development and United States department of veterans affairs supportive housing program;*

(5) *“Mitchell-Lama housing” means any housing development organized pursuant to article two of the private housing finance law that is supervised by the department of housing preservation and development;*

(6) *“Veteran” means a person who has served in the active military service of the United States and who has been released from such service otherwise than by dishonorable discharge.*

b. The mayor's office of operations shall report in writing to the director of the office of veterans' affairs, the veterans' advisory board, and the council the following data for the prior calendar year, to the extent practicable, disaggregated by borough: (1) the total number of Mitchell-Lama housing applications received from veterans or their surviving spouses who have identified themselves as the head of household on such applications; (2) the total number of Mitchell-Lama housing applications approved by the department of housing preservation and development for veterans or their surviving spouses who have identified themselves as the head of

household on such application; (3) the total number of fee-exempt mobile food vending licenses and food vending permits issued by the department of health and mental hygiene to veterans, (4) the number of general vending licenses issued by the department of consumer affairs to veterans; (5) the total number of veterans who submitted an application to the department of consumer affairs for a general vending license; (6) the total number of veterans residing in the city who utilized a HUD-VASH voucher; and (7) the total number of civil service examination applications received by the department of citywide administrative services for which the applicant claimed a veterans credit as provided for in section 85 of the civil service law.

c. Such data may be included as part of the management report provided for in section 12 of the charter, or may be issued as an independent report of the mayor's office of operations, with such independent report being due no later than October 15th of each year.

§ 2. This local law shall take effect immediately.

ERIC A. ULRICH, *Chairperson*; ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; February 25, 2015. *Other Council Members Attending: Eugene and Lancman.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 611-A

Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to membership of the veterans advisory board, and the administrative code of the city of New York, in relation to the creation and posting of electronic mail addresses by members of the veterans' advisory board.

The Committee on Veterans, to which the annexed amended proposed local law was referred on January 7, 2015 (Minutes, page 122), respectfully

REPORTS:

INTRODUCTION

On February 25, 2015, the Committee on Veterans, chaired by Council Member Eric Ulrich, will hold a second hearing on two bills that would implement new changes to the Veterans Advisory Board (hereinafter, VAB or the "Board"): Proposed Int. Nos. 611-A and 619-A. The Committee first heard testimony on the original bills on February 10, 2015, after which time the two bills were amended. At this hearing, representatives of the Mayor's Office of Veterans Affairs, the Veterans Advisory Board, veteran advocates, and service providers provided testimony.

Proposed Int. No. 611-A would amend the New York city charter, in relation to membership of the veterans advisory board, by expanding the Board from nine to eleven members and the administrative code of the city of New York, in relation to the creation and posting of electronic mail addresses for members of the veterans' advisory board, which would also require such electronic mail addresses to be made available to the public.

Proposed Int. No. 619-A would amend the New York city charter and the administrative code of the city of New York, in relation to meetings of the veterans' advisory board, requiring that at least five public meetings be held each year, including one in each borough, public notice to be given of such meetings, such meetings to be broadcast, and MOVA to maintain and periodically update contact information for veterans organizations within the City. The Board's annual report would be required to include policy and legislative recommendations for MOVA and the City Council, if appropriate.

BACKGROUND

New York City's five boroughs are home to approximately 200,000 veterans.¹ Although the overall veteran population is projected to decrease as World War II, Korea, and Vietnam veterans age,² many of those who served in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom will separate from the military in the coming years. As they return, these veterans will face challenges in readjusting to civilian life, including access to employment, education, and health services, as well as other social supports. The City will need to be equipped with the resources and support system necessary to serve these men and women returning from active duty. Furthermore, the City will need to continue to meet the needs of its older veteran population. Thus, the Council seeks to ensure that the VAB, established to provide an official platform by which veterans could voice their concerns to City government, is properly fulfilling its mandate.

The Mayor's Office of Veterans Affairs (MOVA), created by local law in 1987, serves as the City's chief military liaison to veterans, veterans' organizations, and other entities that serve the City's veteran population.³ MOVA is headed by a Commissioner appointed by the Mayor.⁴ The current Commissioner is Loree Sutton.

The VAB was established in the New York City Charter (the Charter) in 1987. The VAB was given the mandate to "advise the director⁵ [of MOVA] on all matters concerning veterans."⁶ The VAB originally consisted of five members, three of whom were appointed by the Mayor and two of whom were appointed by the Speaker of the City Council.⁷ Each member was to serve for a term of three (3) years.⁸

In 2002, Local Law 45 expanded the VAB to nine members, and required that each member be a military veteran.⁹ Five of these members are now appointed by the Mayor and four by the Speaker of the City Council.¹⁰ The 2002 law also required that there be at least one representative from each of the City's five boroughs.¹¹

Although established by law, the VAB was dormant for several years. The Council and MOVA reactivated the VAB in 2002.¹² The minutes of the VAB's first reported meeting on July 17, 2002 noted that "it is unknown whether a previous

VAB existed, nor when meetings took place, if ever.”¹³ Through Local Law 10 of 2006, the Council enacted further changes to the VAB, including requiring the Mayor and Speaker to consider service in conflicts involving members of the United States armed forces when making their appointments.¹⁴ The law also imposed additional requirements on the VAB to meet quarterly, keep a record of deliberations, determine its own rules of procedure, and submit an annual report of its activities to the Mayor and Council on or before December 31 of each year.¹⁵ In 2009 and 2012 the VAB failed to meet quarterly as required by the Charter, and the two meetings that were held in each of those years failed to attract a quorum of members.¹⁶ However, in 2010¹⁷, 2011¹⁸, 2013¹⁹, and 2014²⁰, the VAB met four times as required by the Charter.

Furthermore, through Local Law 10 of 2006, the VAB was to elect by majority vote one member to serve as the chairperson and one to serve as vice-chairperson, each for a one-year term.²¹ This Local Law also established that VAB members may be removed for cause by the appointing official, and provided for the filling of a vacancy on the VAB (due to removal, death, resignation, or otherwise) in the same manner as the original appointment, with the successor to fill out the balance of the term of the member being replaced.²²

Currently, the VAB is composed of nine members. The five members appointed by the Mayor are Lee S. Covino (Staten Island), Col. Stephanie Dawson (Queens), Marvin R. Jeffcoat (Manhattan), Vincent M. McGowan (Manhattan), and Paul Rieckhoff (Manhattan). The four members appointed by the Speaker are Patrick Devine (Bronx), Anthony Giovinco (Brooklyn), Wendy C. McClinton (Brooklyn), and John P. Rowan (Queens).²³ At a September 2009 meeting, Vincent McGowan was voted as the Chairman and Lee S. Covino was voted as the Vice-Chairman.²⁴ While terms of some of the current members have expired, they have agreed to stay on to provide continuity.²⁵

The Fiscal Year 2015 Adopted Budget provides \$240,332 to support three full-time employees at MOVA and \$25,000 for non-personnel costs.²⁶ MOVA also receives a significant share of its funding from New York State. In Fiscal Year 2015, the State is expected to provide \$201,000 in funding for MOVA, the same as the previous fiscal year, allowing for two additional full-time employees.²⁷ However, the VAB is not funded, and its members serve on a volunteer basis. VAB Chairman Vince McGowan has recommended to the Committee that the VAB receive direct funding to help members meet expenses of the meetings.²⁸

Among the initiatives to which the VAB has contributed is the requirement that all City agencies appoint a liaison to veterans employed at the agency, enacted by the Council in 2013 as Local Law 42,²⁹ as well as working with the New York State Division of Veterans’ Affairs in its Veterans Summit deliberations that resulted in a 6% set-aside in New York State contracts for disabled veteran-owned businesses doing business with the state.³⁰ According to testimony from Commissioner Loree Sutton at the October 27, 2014 hearing of the Committee on Veterans, the VAB has advised MOVA on issues such as the establishment of Veterans Treatment Courts, capital alignment for enhanced services, support for ROTC programs, and engagement with the Department of Consumer Affairs on vending licenses.³¹

Advocates have expressed concern that the VAB has not been responsive to the veterans' community. At the Committee's October 2014 oversight hearing, advocates cited a number of issues, including insufficient transparency as to VAB meetings and awareness in the veterans' community about the VAB's activities, concern about representation of student and post-9/11 veterans (those who served in the Iraq and Afghanistan conflicts), stagnant membership, and lack of a clearly defined mission.³²

ANALYSIS

Proposed Int. No. 611-A

Section one of Proposed Int. No. 611-A would amend subdivision d of Section 14 of chapter one of the New York City Charter (Charter) to establish that the Veterans Advisory Board consist of eleven (11) members (the Charter currently requires nine (9)), six (6) of whom would be appointed by the Mayor (an increase from the current five appointees), and five (5) of whom would be appointed by the Council Speaker (an increase from the current four appointees).

Section two of Proposed Int. No. 611-A would amend the Administrative Code by adding new section 3-132. New section 3-132 would require each member of the Veterans Advisory Board to create an electronic mail address upon appointment to the Board. Such electronic mail address would be dedicated exclusively to the business of the Board. Additionally, MOVA would be required to make the electronic mail addresses available to the public on its website no later than thirty days after the commencement of the member's term of appointment. New section 3-132 further would require that such electronic mail address not be comingled with any other personal or professional electronic mail address held or maintained by any Board member, and would allow MOVA to establish guidelines for uniformity in the formatting of the electronic mail addresses created pursuant to this section.

Section three of Proposed Int. No. 611-A would provide that the law take effect thirty days after enactment into law.

Proposed Int. No. 619-A

Section one of Proposed Int. No. 619-A would amend subdivision d of section 14 of chapter one of the Charter to require that the VAB hold no fewer than five meetings on an annual basis (as opposed to the current requirement of four) and to hold at least one meeting open to the public in each borough on an annual basis. The bill would also require that public notice be provided of each meeting in accordance with Article VII of the New York State Public Officers Law. Each public meeting is also to be recorded and broadcast in accordance with subdivision d of Section 1063 of the Charter. Additionally, the bill would provide that the Board's annual report shall, if appropriate, include policy and legislative recommendations for MOVA and the City Council.

Section two of Proposed Int. No. 619-A would create new Administrative Code Section 3-133. New section 3-133 would require MOVA to post a notice of the date, time, and location of each public meeting of the Board at least one week prior to each

meeting. The bill would also require that MOVA maintain and periodically update contact information of veterans organizations located within the city, and notify all such organizations by regular or electronic mail of the date, time, and location of each public meeting of the Board at least one week prior to each meeting.

Section three of Int. No. 619 would provide that the law take effect immediately upon enactment into law.

¹ U.S. Department of Veterans Affairs, Population Table: Counties: Living, http://www.va.gov/VETDATA/docs/Demographics/New_Vetpop_Model91VetPop11_County.xlsx (last accessed Mar. 20, 2013).

² *Id.*

³ L.L. 1987/53; N.Y.C. Charter § 14.

⁴ *Id.*

⁵ The Charter refers to the head of the Mayor's Office of Veterans' Affairs (MOVA) as the "director," however, she is known by the title "Commissioner" and will be referred to as such.

⁶ N.Y.C. Charter, § 14(d).

⁷ L.L. 53/1987

⁸ *Id.*

⁹ L.L. 45/2002; N.Y.C. Charter, § 14.

¹⁰ *Id.*

¹¹ *Id.*

¹² See Transcript of the Minutes of the Committee on Veterans (February 23, 2004), p. 11.

¹³ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Supplemental Report-VAB Activities 2002-2008*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2002-2008.pdf>

¹⁴ L.L. 10/2006

¹⁵ *Id.*

¹⁶ N.Y.C. Mayor's Office of Veterans Affairs, *supra* note 18; N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2012*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2012.pdf>.

¹⁷ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2010*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2010.pdf>.

¹⁸ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2011*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2011.pdf>.

¹⁹ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2013*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2013.pdf>.

²⁰ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2014*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2014.pdf>

²¹ L.L. 10/2006

²² *Id.*

²³ N.Y.C. Mayor's Office of Veterans Affairs, "Current VAB Members," available at http://www.nyc.gov/html/vets/html/advisory_board/members.shtml

²⁴ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Annual Report for 2009*, available at "<http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2009.pdf>

²⁵ N.Y.C. Mayor's Office of Veterans Affairs, *Veterans Advisory Board Report for 2014*, available at <http://www.nyc.gov/html/vets/downloads/pdf/annual-reports/2014.pdf>

²⁶ City of New York, *Executive Budget Fiscal Year 2015: Supporting Schedules 8, 24* (May 8, 2014), available at http://www.nyc.gov/html/omb/downloads/pdf/ss5_14.pdf.

²⁷ City of New York, *supra* note 20, at 9.

²⁸ See Transcript of the Hearing of the Committee on Veterans (March 24, 2006), p. 33.

²⁹ L.L. 42/2013.

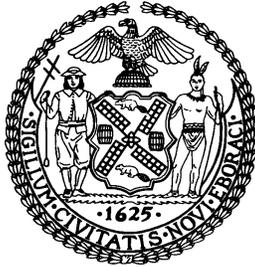
³⁰ N.Y.C. Mayor's Office of Veterans Affairs, "New York City Veterans Advisory Board," available at http://www.nyc.gov/html/vets/html/advisory_board/veteran_advisory_board.shtml.

³¹ The Council of the City of New York, Committee on Veterans, Testimony of Loree Sutton (October 27, 2014), available at <http://legistar.council.nyc.gov/View.ashx?M=F&ID=3306668&GUID=39896800-D916-462A-A911->

[379DFD75A1E9](#).

³² The Council of the City of New York, Committee on Veterans, Hearing Transcript (October 27, 2014), available at <http://legistar.council.nyc.gov/View.ashx?M=F&ID=3306668&GUID=39896800-D916-462A-A911-379DFD75A1E9>.

(The following is the text of the Fiscal Impact Statement for Int. No. 611-A:)



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 611-A
COMMITTEE:
Veterans**

TITLE: A Local Law to amend the New York city charter, in relation to membership of the veterans advisory board, and the administrative code of the city of New York, in relation to the creation and posting of electronic mail addresses by members of the veterans' advisory board.

SPONSOR(S): By Council Member Eugene, Koo, Rose, Levine, Cohen, Maisel and Ulrich.

SUMMARY OF LEGISLATION This legislation would expand the Veterans Advisory Board to eleven members from the current nine, with six members appointed by the Mayor and five members appointed by the Speaker of the City Council. Additionally, the bill would require that the members of the advisory board each create an e-mail address to be used solely for conducting the business of the board and that Mayor's Office of Veterans Affairs (MOVA) make those email addresses publicly available on the MOVA website.

EFFECTIVE DATE: This local law would go into effect 30 days after enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2016

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal Impact FY 16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on City revenue resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law. Because members of the Veterans Advisory Board serve without compensation, increasing the number of members would have no cost to the City.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division, Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel, NYC Council Finance Division,
Tanisha Edwards, Chief Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 7, 2015 as Intro. No. 611 and referred to the Committee on Veterans. The Committee on Veterans held a hearing on Intro. No. 611 on February 10, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version of the legislation, Proposed Intro. No. 611-A, will be considered by the Committee on Veterans on February 25, 2015. Upon successful vote of the Committee, Proposed Intro. No. 611-A will be submitted to the Full Council for a vote on February 26, 2015.

DATE PREPARED: February 24, 2015

(For text of Int No. 619-A and its respective Fiscal Impact Statement, please see the Report of the Committee on Veterans for Int No. 619-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int Nos. 611-A and 619-A.

(The following is the text of Int. No. 611-A:)

Int. No. 611-A

By Council Members Eugene, Koo, Rose, Levine, Cohen, Maisel, Arroyo, Van Bramer, Dromm, Gibson, Greenfield, Kallos, Lander, Williams Ulrich.

A Local Law to amend the New York city charter, in relation to membership of the veterans advisory board, and the administrative code of the city of New York, in relation to the creation and posting of electronic mail addresses by members of the veterans' advisory board.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 14 of the New York city charter, as amended by local law number 10 for the year 2006, is amended to read as follows:

d. Veterans' advisory board. There shall be a veterans' advisory board consisting of [nine] *eleven* members, all of whom shall be veterans, [five] *six* of whom shall be appointed by the mayor and [four] *five* of whom shall be appointed by the speaker of the council of the city of New York. Of these [nine] *eleven* appointees, there shall be one representative from each of the five boroughs of the city of New York. The mayor and the speaker shall each consider service in conflicts involving members of the United States armed forces when making such appointments. All members shall serve for a term of three (3) years and may be removed by the appointing official for cause. Members of the advisory board shall elect by majority vote one such member to serve as chairperson and one such member to serve as vice-chairperson, each to serve in that capacity for one-year terms. In the event of a vacancy on the advisory board during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term. The advisory board shall (i) advise the director on all matters concerning veterans; (ii) hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of article 7 of the public officers law, and with each public meeting recorded and broadcast in accordance with subdivision d of section 1063 of the New York city charter; (iii) keep a record of its deliberations; (iv) determine its own rules of procedure; and (v) submit an annual report of its activities to the mayor and the council on or before December 31st of each year. Such annual report should include policy and legislative recommendations for the office of veterans' affairs and the council.

§2. Subchapter 3 of chapter one of title 3 of the administrative code of the city of New York is amended by adding a new section 3-132 to read as follows:

§ 3-132 Veterans' advisory board electronic mail addresses. Upon appointment to the board, every member of the veterans' advisory board, as constituted pursuant to subdivision d of section 14 of the New York city charter, shall create an electronic mail address dedicated exclusively to the conduct of the business of the board. The office of veterans' affairs shall make such electronic mail address available to the public on the website of the office of veterans' affairs no later than thirty days after the commencement of the member's term of appointment. Such electronic mail address may not be commingled with any other personal or professional electronic mail addresses held or maintained by the members of the board. The office of veterans' affairs may establish guidelines to promote uniformity in the formatting of any electronic mail address created pursuant to this section.

§3. This local law shall take effect thirty days after enactment into law.

ERIC A. ULRICH, *Chairperson*; ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; February 25, 2015. *Other Council Members Attending: Eugene and Lancman.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

Report for Int. No. 619-A

Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to meetings of the veterans' advisory board.

The Committee on Veterans, to which the annexed amended proposed local law was referred on January 7, 2015 (Minutes, page 138), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int No. 611-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 619-A:



**THE COUNCIL OF THE CITY OF
NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 619-A
COMMITTEE:
Veterans**

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to meetings of the veterans' advisory board.

SPONSOR(S): By Council Members Ulrich, Chin, Constantinides, Deutsch, Gentile, Johnson, Koo, Lancman, Maisel, Rose, Wills, Reynoso, Cohen, and Eugene.

SUMMARY OF LEGISLATION This legislation would require the Veterans Advisory Board to meet a minimum of five times per year and to hold at least one meeting in each borough. The Board would be required to provide public notice of the meeting in compliance with New York State's Open Meetings Law and to record and broadcast each meeting.

In addition, the Mayor's Office of Veterans Affairs (MOVA) would be required to: 1) post a notice on its website of the date, time, and location of each Board meeting at least one week prior to the meeting; and 2) maintain and update contact information for veterans organizations located within the city, and notify all of these organizations by regular or electronic mail of each Board meeting.

EFFECTIVE DATE: This local law would go into effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY 15	FY Succeeding Effective FY 16	Full Fiscal Impact FY 16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	De minimis	De minimis	De minimis
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on City

revenue resulting from the enactment of this legislation.

IMPACT ON EXPENDITURES: It is estimated that this legislation would have no impact on expenditures since existing resources would be used to comply with this local law. According to the Mayor's Office of Legislative Affairs, NYC Media would be able to record and broadcast all Veterans Advisory Board (VAB) meetings on the internet with no additional cost to the City. Because MOVA has the option to use e-mail to notify the City's veterans organizations of VAB meetings, this requirement would result in no additional costs to the City. If the regular mailing is determined more practical or the preferred option, MOVA would incur de minimus costs in the range of \$1,000 to \$2,000 annually. With regard to holding at least one meeting in each borough annually, the VAB could conduct its meetings in City-owned locations at no additional cost to the City. Borough Hall's have been identified as potential regular meeting places. Other potential meeting places include public schools or libraries. There would be no additional costs to posting meeting notifications online or making the meetings open to the public.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division,
Mayor's Office of Legislative Affairs,
Office of Management and Budget

ESTIMATE PREPARED BY: John Russell, Principal Financial Legislative Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Tanisha Edwards, Chief Counsel, Rebecca Chasan, Assistant Counsel,
NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 7, 2015 as Intro. No. 619 and referred to the Committee on Veterans. The Committee on Veterans held a hearing on Intro. No. 619 on February 10, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version of the legislation, Proposed Intro. No. 619-A, will be considered by the Committee on Veterans on February 25, 2015. Upon successful vote of the Committee, Proposed Intro. No. 619-A will be submitted to the full Council for a vote on February 26, 2015.

DATE PREPARED: February 24, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 619-A:)

Int. No. 619-A

By Council Members Ulrich, Chin, Constantinides, Deutsch, Gentile, Johnson, Koo, Lancman, Maisel, Rose, Wills, Reynoso, Cohen, Eugene, Arroyo, Van Bramer, Dromm, Gibson, Greenfield, Kallos and Williams.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to meetings of the veterans' advisory board.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 14 of the New York city charter, as amended by local law number 10 for the year 2006, is amended to read as follows:

d. [Veterans] *Veterans'* advisory board. There shall be a veterans' advisory board consisting of nine members, all of whom shall be veterans, five of whom shall be appointed by the mayor and four of whom shall be appointed by the speaker of the council of the city of New York. Of these nine appointees, there shall be one representative from each of the five boroughs of the city of New York. The mayor and the speaker shall each consider service in conflicts involving members of the United States armed forces when making such appointments. All members shall serve for a term of three (3) years and may be removed by the appointing official for cause. Members of the advisory board shall elect by majority vote one such member to serve as chairperson and one such member to serve as vice-chairperson, each to serve in that capacity for one-year terms. In the event of a vacancy on the advisory board during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term. The advisory board shall (i) advise the director on all matters concerning veterans; (ii) [meet at least quarterly] *hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of article 7 of the public officers law, and with each public meeting recorded and broadcast in accordance with subdivision d of section 1063 of the New York city charter;* (iii) keep a record of its deliberations; (iv) determine its own rules of procedure; and (v) submit an annual report of its activities to the mayor and the council on or before December 31st of each year. *Such annual report shall, if appropriate, include policy and legislative recommendations for the office of veterans' affairs and the council.*

§2. Subchapter 3 of chapter one of title 3 of the administrative code of the city of New York is amended by adding a new section 3-133 to read as follows:

§ 3-133 Additional notice of public meetings of the veterans' advisory board. The office of veterans' affairs shall ensure that notice of any public meeting of the

veterans' advisory board held pursuant to subdivision d of section 14 of the New York city charter is posted on such office's website with the date, time and location of each public meeting, and that such notice is posted not less than one week prior to each public meeting. The office of veterans' affairs shall also maintain and periodically update the contact information of veterans organizations located within the city and shall notify such organizations by regular or electronic mail of the date, time and location of each public meeting of the veterans' advisory board not less than one week prior to each public meeting.

§3. This local law shall take effect immediately.

ERIC A. ULRICH, *Chairperson*; ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; February 25, 2015. *Other Council Members Attending: Eugene and Lancman.*

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

Approved New Applicants Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Reese Crispen	657 MacDonough Street #1R Brooklyn, N.Y. 11233	41
Sheann Wilson	270 Wortman Avenue #8G Brooklyn, N.Y. 11207	42

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Rachel G. Milgram	504D Grand Street #33D New York, N.Y. 10002	1
Norma Nieves	170 Avenue C#19A New York, N.Y. 10009	2
Benjamin Soto	490 Second Avenue#14E New York, N.Y. 10016	2
Michele A. Masucci	430 East 20th Street #4H New York, N.Y. 10009	4
Sarah L. Bannister	711 Amsterdam Avenue #81 New York, N.Y. 10025	6
Richard W. Joselit	441 West End Avenue New York, N.Y. 10024	6
Fung Che Au-Haiman	3750 Hudson Manor Terrace Bronx, N.Y. 10463	11
Vilma Guadalupe	75 West Mosholu Parkway North #6M Bronx, N.Y. 10467	11
Elton J. Maynard	5550 Fieldston Road #2F Bronx, N.Y. 10471	11
Leslie Peterson	100 Casals Place #4H Bronx, N.Y. 10475	12
Lucrezia A. Fisco	2571 Fish Avenue Bronx, N.Y. 10469	13
Israel Maldonado	1720 Mayflower Avenue 149I Bronx, N.Y. 10461	13
Sarah Quinones	930 Mace Avenue #5E Bronx, N.Y. 10469	13
Catalina Farrington	364 East 159th Street #2A Bronx, N.Y. 10451	17
Claudette Hernandez	2025 Seward Avenue #2E Bronx, N.Y. 10473	18
Mary Ann Santiago	1591 Metropolitan Avenue #2F Bronx, N.Y. 10462	18
Avis D. Maddox-Clarke	20-01 21st Avenue 141B Astoria, N.Y. 11105	22
Reginald Guiteau	85-64 Santiago Street Queens, N.Y. 11423	23

February 26, 2015	598	
Sherrill Ivey	65-16 Parsons Blvd #7C Queens, N.Y. 11365	24
Daniel Khanimov	147-11 Jewel Avenue Flushing, N.Y. 11367	24
Michael G. Den Dekker	77-18 31st Avenue Queens, N.Y. 11370	25
Scott Krikawa	39-65 51st Street #2E Woodside, N.Y. 11377	26
Lois-Jean Benjamin	164-03 O'Donnell Road Jamaica, N.Y. 11433	27
Yissel Martinez	205-14 118th Avenue Queens, N.Y. 11412	27
Vlad Benjamin	108-49 63rd Avenue #6R Queens, N.Y. 11375	29
Anthony Mangone	62-09 82nd Street Queens, N.Y. 11379	30
Erika Michel	66-71 74th Street Queens, N.Y. 11379	30
Joann Siegel	73-26 70th Street Queens, N.Y. 11385	30
Dilma S. Tones	72-70 61st Street Glendale, N.Y. 11385	30
Caroline Bolanos	141-125 183rd Street Queens, N.Y. 11413	31
Althea Edwards-Taylor	258-05 Craft Avenue Queens, N.Y. 11422	31
Eileen Miele	162-30 99th Street Queens, N.Y. 11414	32
Janet A. Powers	161-36 85th Street Queens, N.Y. 11414	32
Leatha Baker	135 Decatur Street Brooklyn, N.Y. 11216	36
Marisol Concepcion-Sewpaul	914 Gates Avenue #2A Brooklyn, N.Y. 11221	36
Yvette Watts	11A Eldert Avenue Brooklyn, N.Y. 11207	37
Jean Sheil	792 President Street Brooklyn, N.Y. 11215	39
Maxi Eugene	143 Linden Blvd #2A Brooklyn, N.Y. 11226	40
Kathleen P.H. Ferguson-Moxan	215 Sterling Street #24	40

Dorothy Hosten	Brooklyn, N.Y. 11225 832 Midwood Street #6D Brooklyn, N.Y. 11203	41
Jo-Ann Sperano	1363 85th Street Brooklyn, N.Y. 11228	43
Clifton Clarke	4624 Avenue K Brooklyn, N.Y. 11234	45
Arnold Lubitz	1564 East 35th Street Brooklyn, N.Y. 11234	45
Catherine Ninive	2156 East 34th Street #1 Brooklyn, N.Y. 11234	46
Michael F. Varone	2220 Burnett Street #5G Brooklyn, N.Y. 11229	46
Claire Delgaudio	2428 East 2nd Street Brooklyn, N.Y. 11223	47
Jacqueline Ham	2007 Surf Avenue #7A Brooklyn, N.Y. 11224	47
Emilia Krakovskaya	3124 Emmons Avenue #2 Brooklyn, N.Y. 11235	48
Karen Becker	37 Norway Avenue Staten Island, N.Y. 10305	50
Yesenia Yasmin Colon	55 Roma Avenue Staten Island, N.Y. 10306	50
Gladys Pietri-McCormack	269 Kell Avenue Staten Island, N.Y. 10314	50
Elizabeth Cardiello	160 Nicolosi Drive Staten Island, N.Y. 10312	51
Pamela DeRose	30 Downes Avenue Staten Island, N.Y. 10312	51
Francine Misseri-Olito	73 Mayberry Promenade Staten Island, N.Y. 10312	51
Gina Riggi	30 Lott Lane Staten Island, N.Y. 10314	51

On motion of the Speaker (Council Member Mark-Viverito), and adopted, the foregoing matter was coupled as a General Order for the day (see ROLL CALL ON GENERAL ORDERS FOR THE DAY).

ROLL CALL ON GENERAL ORDERS FOR THE DAY
(Items Coupled on General Order Calendar)

- | | | |
|------|---------------------------------|--|
| (1) | Int 74-A - | Removal of trees downed or damaged as a result of a severe weather event. |
| (2) | Int 423-A - | Worker cooperatives. |
| (3) | Int 600-A - | Transparency regarding veterans served by agencies. |
| (4) | Int 611-A - | Membership of the Veterans Advisory Board. |
| (5) | Int 619-A - | Meetings of the Veterans' Advisory Board. |
| (6) | Res 590 - | Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (7) | Res 591 - | Establishment of the Meatpacking Area Business Improvement District in the Borough of Manhattan. |
| (8) | L.U. 170 & Res 601 - | App. N 150083 ZRM Manhattan, Community Board 4, Council District 3. |
| (9) | L.U. 171 & Res 602 - | App. 20155265 HKQ (N 150176 HKQ), Queens, Community Board 11, Council District 19, as a landmark. |
| (10) | L.U. 172 & Res 603 - | App. 20155146 TCM Manhattan, Community Board 2, Council District 3. |
| (11) | L.U. 173 & Res 604 - | App. C 140353 ZSM Manhattan, Community Board 2, Council District 1 (Coupled to be Filed Pursuant to a Letter of Withdrawal). |
| (12) | L.U. 175 & Res 605 - | App. C 150076 ZMK Brooklyn, Community Board 7, Council District 39. |
| (13) | L.U. 176 & Res 606 - | App. C 140288 ZMK Brooklyn, Community Board 12, Council District 38. |
| (14) | L.U. 177 & Res 607 - | App. 20155270 HKQ (N 150202 HKQ) Queens, Community Board 5, Council District 30. |
| (15) | L.U. 178 & Res 608 - | App. 20155273 HKK (N 150204 |

- HKK**) Brooklyn, Community Board 9,
Council District 40.
- (16) **L.U. 179 & Res 600 -** Schervier Apartments, Block 5750,
Lot 500, Bronx, Community District
No.8, Council District No. 11.

(17) **Resolution approving various persons Commissioners of Deeds.**

The Public Advocate (Ms. James) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **LU No. 171 & Res No. 602:**

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

Negative – Matteo and Ignizio – **2**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 74-A, 423-A, 600-A, 611-A, and 619-A.

INTRODUCTION AND READING OF BILLS

Int. No. 674

By Council Members Barron, Ferreras, Arroyo, Eugene, Koo and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to assessing the size of the city's housing stock.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2098 of the administrative code of the city of New York is amended by adding a new paragraph to read as follows:

(7) If the dwelling is a multiple dwelling or a one- or two-family dwelling where neither the owner nor any family member occupies the dwelling, the number of dwelling units contained therein.

§ 2. Article 2 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2109.2 to read as follows:

§ 27-2109.2 Reporting on number of registered dwelling units. By March 1 and September 1 of each year, the department shall submit a report to the council containing the following information for dwellings registered with the department under this article within the year preceding the filing date of such report, disaggregated by council district:

a. The number of registered class A multiple dwellings and the number of dwelling units located in such dwellings;

b. The number of registered class B multiple dwellings and the number of dwelling units located in such dwellings;

c. The number of registered private dwellings and the number of dwelling units located in such dwellings;

§ 3. This local law shall take effect 120 days after enactment, provided that the department may take such measures as are necessary for the implementation of this law, including the promulgating of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Res. No. 585

Resolution calling upon Congress to pass and the President to sign legislation to implement President Barack Obama's "America's College Promise" plan to make two years of community college free to anyone who maintains a 2.5 GPA and calling upon the New York State Legislature to pass and the Governor to sign legislation funding the State's obligation under the plan.

By Council Members Barron, The Speaker (Council Member Mark-Viverito), Kallos, Williams, Crowley, Vacca, Arroyo, Chin, Eugene, Gibson, Johnson, Richards, Rose, Vallone, Van Bramer, Rodriguez, Cohen, Lander and Levin.

Whereas, According to the Center on Education and the Workforce at Georgetown University, by 2020, an estimated 35 percent of jobs will require at least a bachelor's degree and 30 percent will require some college or an associate's degree; and

Whereas, Community colleges have multiple missions directed at addressing the needs and interests of a wide variety of constituencies which include general education towards an associate's degree, transfer to a baccalaureate program, occupational certificate programs, and workforce development; and

Whereas, In Fall 2013, approximately 40 percent of all undergraduate students were enrolled in public two-year colleges, according to recent data by the United States Education Department, National Center for Education Statistics; and

Whereas, According to the Pew Research Center, in 2013, 46 percent of all Latino college students were enrolled in a public two-year college, as compared to 34 percent of the Black undergraduate population, 32 percent of the Asian undergraduate population and 30 percent of the White undergraduate population enrolled in a public two-year college; and

Whereas, In New York City, the representation of students enrolled in a community college is approximately 39 percent Latino, 28 percent Black, 16 percent Asian and 17 percent White; and

Whereas, President Barack Obama announced a proposal called "America's College Promise," to make community colleges tuition-free for the first two years; and

Whereas, Under the plan, full-time and part-time students would be required to maintain a 2.5 grade point average (GPA) and make consistent progress toward completion of a college degree; and

Whereas, The plan would be open to community colleges that offer credit toward a four-year degree at a public institution or occupational training programs that offer certificates or degrees in high-demand fields; and

Whereas, The plan calls for an estimated \$60 billion over ten years to help cover tuition and fees; and

Whereas, The federal government would cover three-quarters of the cost, and states that choose to participate in the program would cover the remainder of the cost; and

Whereas, If all states participate, the program could save each full-time student an average of \$3,800 a year; and

Whereas, As of Fall 2014, New York State residents who are enrolled full-time at community colleges at the City University of New York (CUNY) pay \$4,500 per year in tuition, therefore the President's plan would be highly beneficial to these students; and

Whereas, Under the plan, participating states are also required to "continue existing investments in higher education, coordinate high schools, community

colleges, and four-year institutions to reduce the need for remediation and repeated courses, and allocate a significant portion of funding based on performance, not enrollment alone”; and

Whereas, Opponents of the plan argue that making community colleges tuition-free is unnecessary because the average tuition for community colleges is an estimated \$3,330 a year, and that community colleges are made even more affordable to poor and working-class students through federal Pell Grants, according to *The New York Times*; and

Whereas, According to the latest data by the National Center for Education Statistics, 41.9 percent of dependent students enrolled in a two-year college come from households with incomes less than \$20,000; and

Whereas, The plan would especially benefit students of color, including Black, Latino and Asian, many of whom come from low-income households earning less than \$20,000 as indicated by the National Center for Education Statistics; and

Whereas, Almost half (46.8 percent) of students enrolled at CUNY community colleges come from households with incomes less than \$20,000, which exceeds the national level; and

Whereas, Although financial aid is available, low-income community college students are still confronted with additional costs such as housing, food, books, transportation and other expenses that make it very difficult for them to meet their financial obligations, which can often deter them from completing a college degree; and

Whereas, Such costs are exacerbated for those students living in New York City, which is one of most expensive cities in the nation; and

Whereas, According to the Center for American Progress, community colleges have been disproportionately impacted by state budget cuts in recent years, resulting in rising tuition costs, thus, limiting educational and career opportunities for students; and

Whereas, It is important that all states, including New York State, participate in President Obama’s America’s College Promise plan to make college more affordable and to educate a competitive workforce that is vital to stimulating local economies in New York City, across the nation and globally; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign legislation to implement President Obama’s “America’s College Promise” plan to make two years of community college free to anyone who maintains a 2.5 GPA and calling upon the New York State Legislature to pass and the Governor to sign legislation funding the State’s obligation under the plan.

Referred to the Committee on Higher Education.

Int. No. 675

By Council Members Crowley, Dickens and Eugene.

A Local Law to amend the administrative code of the city of New York in relation to the provision of sick time earned by employees.

Be it enacted by the Council as follows:

Section 1. Subdivisions j of section 20-912 of the administrative code of the city of New York, as added by local law number 46 for the year 2013, is amended to read as follows:

j. “Hourly professional employee” shall mean any individual (i) who is professionally licensed by the New York state education department, office of professions, under the direction of the New York state board of regents under education law sections 6522, 6732, 6905, 7902 or 8202, (ii) who calls in for work assignments at will determining his or her own work schedule with the ability to reject or accept any assignment referred to them and (iii) who is paid an average hourly wage which is at least four times the federal minimum wage for hours worked during the calendar year.

§ 2. Subdivision d of section 20-924 of the administrative code of the city of New York is amended to read as follows:

d. The department shall have the power to impose penalties provided for in this chapter and to grant an employee or former employee all appropriate relief. (i) Such relief shall include: [(i)] 1. for each instance of sick time taken by an employee but unlawfully not compensated by the employer: three times the wages that should have been paid under this chapter or two hundred fifty dollars, whichever is greater; [(ii)] 2. for each instance of sick time requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding a replacement worker, or for each instance an employer requires an employee to work additional hours without the mutual consent of such employer and employee in violation of section 20-915 of this chapter to make up for the original hours during which such employee is absent pursuant to this chapter: five hundred dollars; [(iii)] 3. for each instance of unlawful retaliation not including discharge from employment: full compensation including wages and benefits lost, five hundred dollars and equitable relief as appropriate; and [(iv)] 4. for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, two thousand five hundred dollars and equitable relief, including reinstatement, as appropriate. (ii) *Notwithstanding subparagraph (i), the department shall have the discretion to waive or reduce penalties for violations of this section, upon finding that such employer acted in good faith or had a reasonable basis to believe that the provisions of this section, sections 20-913 and 20-914 of this code, and any rules promulgated thereunder, did not apply to such employer at the time such violations occurred.*

§ 3. This local law shall take effect immediately upon enactment into law.

Referred to the Committee on Civil Service and Labor.

Res. No. 586

Resolution calling on the New York State Legislature to pass and the Governor to sign, legislation to give correctional authorities the discretion to allow

incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.

By Council Members Cumbo, Gibson, Chin and Rose.

Whereas, Many women arrive at Rikers Island and other local and State correctional facilities pregnant and many give birth while in custody; and

Whereas, New York State Correction Law Section 611 requires that incarcerated pregnant women be taken to a local hospital to give birth, and allows the mother to care for their baby while in custody for up to one year; and

Whereas, However, New York State Correction Law Section 611 also requires that women return to their correctional facilities as soon as possible after the birth of her child; and

Whereas, Studies published in Parenting Magazine show that the bonding between a mother and child immediately after birth is critically important for the child's physical and emotional health; and

Whereas, This critical mother-child bonding can be more meaningfully accomplished at the mother's home and not in the restrictive environment of a prison or jail; and

Whereas, A child should not be physically disadvantaged for the rest of their lives because their mother was incarcerated when they were born; and

Whereas, New York State's Department of Corrections and Community Supervision already provides for the monitoring of 45,000 parolees and those placed on post-release supervision in New York State, and could provide equivalent monitoring for new mothers for the first three weeks after they give birth; and

Whereas, New York State Correction Law Sections 113 and 509 already allow inmates in State or local correctional facilities to leave their facilities to attend the funeral of a close relative or visit them before their imminent death, and these laws give the correctional authorities the discretion to grant such leave; and

Whereas, The State could give correctional authorities similar discretion to grant leave for new mothers to establish a meaningful bond with their newborn children; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign, legislation to give correctional authorities the discretion to allow incarcerated women who give birth while in custody to return home on temporary supervised release for the first three weeks after they give birth.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 676

By Council Members Deutsch, Cabrera, Johnson, Koo, Koslowitz, Lancman, Miller, Rose and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the consideration of community impact in applications for base stations, black car bases, and luxury limousine bases.

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York is amended by adding a new section 19-544 to read as follows:

§ 19-544 Base applications. In reviewing an application for a license to operate a base station, black car base, or luxury limousine base the commission shall examine and consider any negative impact such base may have on quality of life in the vicinity of such base, including, but not limited to, the potential impact on traffic congestion, sidewalk congestion, and noise. In addition, the commission shall submit a copy of such application to the council member and the community board for the area in which such base station would be located within five days of the receipt of such application and shall consider any comments received from such council member and community board received during the commission's review of such an application.

§ 2. This local law shall take effect 90 days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 677

By Council Members Dromm and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting obstructions or nuisances in or upon sidewalks, flagging or curbstones, streets and medians of streets and establishing a rebuttable presumption regarding responsibility for the placement of signs constituting such obstructions or nuisances.

Be it enacted by the Council as follows:

Section 1. Paragraph a of subdivision 2 of section 16-118 of the administrative code of the city of New York, as amended by local law number 108 for the year 2005, is amended to read as follows:

(a) Every owner, lessee, tenant, occupant or person in charge of any building or premises shall keep and cause to be kept the sidewalk, flagging and curbstone abutting said building or premises free from obstruction and nuisances of every kind, and shall keep said sidewalks, flagging, curbstones, and air shafts, areaways, backyards, courts and alleys free from garbage, refuse, rubbish, litter, debris and other offensive material. Such persons shall also remove garbage, refuse, rubbish, litter, debris and other offensive material between the curbstone abutting the building or premises and the roadway area extending one and one-half feet from the curbstone into the street on which the building or premises front. Such persons shall not,

however, be responsible for cleaning the garbage, refuse, rubbish, litter, debris and other offensive material [which] *that* accumulates at catch basins located within the one and one-half foot distance from the curbstone into the street.

§2. Subdivision 2 of section 16-118 of the administrative code of the city of New York is amended by adding three new paragraphs c, d and e to read as follows:

(c) No person shall place or cause to be placed an obstruction or nuisance of any kind anywhere in or upon any sidewalk, flagging or curbstone, street or median of a street. For purposes of this subdivision, the term "median" shall mean the dividing area between lanes of traffic on a street.

(d) When it is determined that there exists an obstruction or nuisance in violation of paragraph c of this subdivision and such obstruction or nuisance is a sign, including, but not limited to, an A-frame sign or a sandwich board, there shall be a rebuttable presumption that the person whose name, address, telephone number or other identifying information appears on any such sign, placed, or caused to be placed, such sign, and has violated paragraph c of this subdivision.

(e) Where the obstruction or nuisance is a sign, including, but not limited to, an A-frame sign or a sandwich board, and was placed in violation of paragraph c of this subdivision, and such sign fails to display a name, address, telephone number or other identifying information that would reasonably allow an officer or employee of the department to identify the person that placed, or caused to be placed, such sign, such sign shall be deemed abandoned and an authorized officer or employee of the department may remove and dispose of such sign.

§3. This local law shall take effect immediately upon enactment.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 678

By Council Members Dromm, Chin, Eugene, Johnson, Koo and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to a police computer technology strategy plan that includes a phase-out of the use of typewriters.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-155 to read as follows:

§14-155 Annual information technology strategy. No later than April first of each year, the department shall produce and transmit to the council and the mayor an information technology strategy report detailing the department's plans for the procurement and deployment of all technology and telecommunications initiatives in the following fiscal year. Such strategy report shall include a plan for the phase-out of the use of typewriters for all departmental purposes by fiscal year two thousand sixteen.

§ 2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Technology.

Int. No. 679

By Council Members Dromm, Chin, Dickens, Eugene, Johnson, Koo, Richards and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to making available optional rapid HIV tests to students at city university of New York campuses.

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new section 17-198 to read as follows:

§17-198 Rapid HIV Testing. *a. For the purposes of this section, “rapid HIV test” shall mean any FDA-approved rapid HIV antibody screening test.*

b. At least once each semester at city university of New York campuses, the department shall make available a rapid HIV test to any enrolled student of the city university of New York campus. Such tests shall be administered in accordance with the requirements of article 27-F of the public health law.

c. If the department’s offer to test pursuant to subdivision b of this section is accepted by a student, the department shall take all steps as required by law with respect to such student.

d. The department shall promulgate any rules as may be necessary for the purpose of carrying out this section.

§ 2. This local law shall take effect ninety days after its enactment into law, provided that the commissioner shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Health.

Int. No. 680

By Council Members Dromm, Rosenthal, Chin, Johnson and King.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of the department of correction to post a monthly report on detainees on the department’s website.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-135 to read as follows:

§ 9-135. Detainee report. The commissioner shall post a report, by the first date of each month, on the department's website, which shall include the following information based on the average daily population of the city's jails for the preceding month:

(1) The number of inmates in the department's custody that had not been sentenced.

(2) The number of inmates in the department's custody 18 years of age or older who had been incarcerated for more than six months and had not been sentenced.

(3) The number of inmates under 18 years of age who have been incarcerated for more than one month and had not been sentenced.

§ 2. This local law shall take effect sixty days after enactment.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 587

Resolution calling upon the City University of New York (CUNY) to incorporate the Muslim holidays of Eid Ul-Fitr and Eid Ul-Adha as observed university holidays throughout the CUNY system.

By Council Members Dromm, Chin, Constantinides, Gibson, Richards, Rose and Vallone.

Whereas, Eid Ul-Fitr and Eid Ul-Adha are considered to be significant holidays in the Muslim community; and

Whereas, Eid Ul-Fitr is a time of joy and thanksgiving that is celebrated at the completion of Ramadan and involves various celebrations and special services; and

Whereas, Eid Ul-Adha, or the "Feast of Sacrifice," is the second most important festival on the Muslim calendar, and is a day of remembrance; and

Whereas, The first day is the most important day of both Muslim holidays; and

Whereas, The "Muslims in New York City Project," an initiative through Columbia University's Middle East Institute, estimates that approximately 600,000 Muslims live in New York City, and represent one of the fastest growing religious communities in the City; and

Whereas, Despite this growing population, Eid Ul-Fitr and Eid Ul-Adha are not recognized as university holidays at The City University of New York (CUNY); and

Whereas, Currently, CUNY campuses are closed on a number of religious holidays, including Rosh Hashanah, Yom Kippur, Christmas, Good Friday, Easter and Passover; and

Whereas, In New York City, alternate side parking is suspended in observance of the two Muslim holidays; and

Whereas, S.0684, sponsored by Senator Tony Avella, and A.6947, sponsored by Assembly Member David Weprin, would require the State University of New York (SUNY) and CUNY to observe the holidays Eid Ul-Fitr and Eid Ul-Adha; and

Whereas, CUNY is the largest public urban university in the nation with a

student population of approximately 270,000 degree-seeking students and 248,000 adult, continuing and professional education students, whose ethnic and cultural backgrounds are represented by 216 countries; and

Whereas, CUNY prides itself in its continuing development of programs and policies designed to meet the academic and social needs of its diverse student body population, and therefore, should incorporate these two important Muslim holidays into the University's academic calendar; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City University of New York (CUNY) to incorporate the Muslim holidays of Eid Ul-Fitr and Eid Ul-Adha as observed university holidays throughout the CUNY system.

Referred to the Committee on Higher Education.

Res. No. 588

Resolution calling on federal authorities to end the ban on transgender persons serving openly in the military.

By Council Members Dromm, Arroyo, Chin, Johnson and Koslowitz.

Whereas, In 2014, according to the Williams Institute, over 15,500 transgender personnel served in the United States ("U.S.") Armed Forces; and

Whereas, Current Pentagon policy prohibits transgender individuals from serving openly and requires separation if they are discovered; and

Whereas, According to the Washington Post article entitled, "Transgender Military Members are in a Precious Position," while the "Don't Ask, Don't Tell" policy prohibiting gay personnel from serving openly in the military was created by law, the prohibition regarding transgender individuals is a rule which can be eliminated administratively; and

Whereas, According to advocates, during the past two years alone, two dozen openly transgender service members have been discharged pursuant to the ban on transgender service; and

Whereas, Society has increasingly recognized the need to combat discrimination against transgender individuals as evidenced by the 18 states and the District of Columbia; the many municipalities, including New York City; and the federal Employment Opportunity Commission that outlaw anti-transgender discrimination in areas that include employment, housing, and public accommodation; and

Whereas, The U.S. Secretary of Defense has the authority to eliminate the transgender policy ban; and

Whereas, Former U.S. Secretary of Defense Chuck Hagel had stated that he may review the rule banning transgender persons from serving openly in the military; and

Whereas, In 2014, there were 18 foreign nations that permit transgender personnel to serve openly; and

Whereas, Allowing transgender people to serve openly would be administratively feasible since it is merely a rule not a law and would be neither

excessively complex nor burdensome, and, therefore, the U.S. Armed Forces should repeal the ban immediately; and

Whereas, All military personnel should be able to serve without having to lie about their identity and should be treated with respect; and

Whereas, The Council of the City of New York recognizes that lesbian, gay, bisexual and transgendered persons have served and are still serving in the U.S. armed forces with honor and distinction, from the Revolutionary War to the current wars in Afghanistan and Iraq; now, therefore, be it

Resolved, That the Council of the City of New York calls on federal authorities to end the ban on transgender persons serving openly in the military.

Referred to the Committee on Civil Rights.

Res. No. 589

Resolution urging the United States Department of Homeland Security to end the practice of placing immigrant detainees in solitary confinement, except in emergency situations.

By Council Members Dromm, Chin, Eugene and Johnson.

Whereas, The United States Immigration and Customs Enforcement ("ICE"), a division of the United States Department of Homeland Security, is charged with overseeing and providing for the care, custody, and control of immigration detainees; and

Whereas, According to ICE, New York City's only immigration detention facility, the Varick Federal Detention Facility, was closed in 2010; and

Whereas, Since the closure, advocates have stated that New York City immigrant detainees have been either moved to distant immigration detention centers or detained alongside criminals in state and local prisons; and

Whereas, While, according to ICE, immigration detention is supposed to be a civil, non-punitive measure to ensure detainees attend immigration court hearings and comply with court orders, disciplinary measures and segregation practices to which immigration detainees are subjected often emulate those used in criminal facilities, including the practice of placing individuals in solitary confinement; and

Whereas, According to ICE, there are 250 immigration detention facilities across the United States with a daily detainee population of approximately 33,000 immigrants; and

Whereas, According to the New York Times article "Immigrants Held in Solitary Cells, Often for Weeks" ("NYT Article") published in March of 2013, solitary confinement is a form of punishment used by detention officers in which an individual is isolated in a small cell and deprived of human contact and other sensory and intellectual stimulation for long periods of time and during which privileges and activities generally extended to the detained population such as phone calls, access to medical care, visitations, and recreation are restricted, if not entirely suspended; and

Whereas, A report of the Heartland Alliance's National Immigrant Justice Center and Physicians for Human Rights entitled *Invisible in Isolation: The Use of Segregation and Solitary Confinement in Immigration Detention* recorded instances in which detainees were placed in solitary confinement as a punitive response to trivial violations such as addressing a detention officer in a foreign language or possessing prohibited food items, to cover up discrimination and abuse within the detention facility, or to discourage complaints about detention conditions; and

Whereas, This report found that detainees who have been victims of assault, have mental health issues, or are lesbian, gay, bisexual, and transgender were disproportionately detained in solitary confinement because facilities cannot accommodate these populations and because officials claimed that solitary confinement offers protection unavailable in the general population of immigration detainees; and

Whereas, According to the NYT Article, approximately 300 immigrants are held in solitary confinement at the largest immigration facilities every day with almost half isolated for fifteen days or more and about thirty-five held in solitary confinement for 75 days or more; and

Whereas, These practices affect New York City immigrants and their families since, according to the 2010 United State Census, New York City is home to nearly three million immigrants, one of the largest immigrant populations in the nation; and

Whereas, According to the NYT Article, there is a lack of effective oversight or even uniform guidelines dictating when and for how long a facility may place an immigrant detainee in solitary confinement and little opportunity for immigrants to appeal such a decision; and

Whereas, Though the 2011 version of ICE's *Performance-Based National Detention Standards* recognizes and attempts to remedy deficiencies in the care of mentally ill immigration detainees, these individuals continue to be held in solitary confinement without an initial mental health evaluation and without regular quality mental health treatment; and

Whereas, According to the NYT Article immigrants placed in solitary confinement have little meaningful opportunity to appeal the placement since they, unlike criminal detainees, have no right to free, state-appointed legal counsel and have limited access to legal resources and lawyers generally encounter difficulties gaining access to detained immigrants, especially those in solitary confinement; and

Whereas, According to the NYT Article, experts say that individuals held in solitary confinement for fifteen days or more are at a heightened risk for serious mental health problems that may last long, if not permanently, after the individual is released from detention and that solitary confinement can cause severe psychological damage and may increase both violent behavior and suicide among detained immigrants; and **Whereas,** The NYT Article says that solitary confinement is especially harmful to immigration detainees because it can exacerbate mental health issues that arise from torture or abuse in their home countries, human trafficking, or the anxiety surrounding their immigration case; and

Whereas, Further, the NYT Article states that studies have found extremely high rates of anxiety, depression, and post-traumatic stress disorder among immigration

detainees seeking asylum, exacerbated by the threat of and actual employment of solitary confinement; and

Whereas, Mental health afflictions arising from prolonged solitary confinement could impair a released detainees' social interaction, hampering their ability to successfully and safely reintegrate into New York City communities upon release from detention; and

Whereas, In September 2013, ICE released a new directive regarding the use of solitary confinement in ICE detention facilities; and

Whereas, The new policy would evaluate the use of solitary confinement and establish strict limits on the use of solitary confinement, especially among certain vulnerable populations; and

Whereas, Although this is a step in the right direction, immigrant detainees should not be placed in solitary confinement, except in emergency situations when someone has been physically harmed or threatened, and even then such confinement should only be for the shortest possible duration; now, therefore, be it

Resolved, That the Council of the City of New York urges the United States Department of Homeland Security to end the practice of placing immigrant detainees in solitary confinement, except for emergency situations.

Referred to the Committee on Immigration.

Int. No. 681

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the Meatpacking Area business improvement district.

By Council Members Ferreras, Johnson and Rose (by request of the Mayor).

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-488 to read as follows:

§ 25-488 *Meatpacking Area business improvement district.* a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Manhattan, the Meatpacking Area business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the district plan upon which the Meatpacking Area business improvement district is based.

c. The district plan shall not be amended except in accordance with chapter four of this title.

§ 2. This local law shall take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

Referred to the Committee on Finance.

Preconsidered Res. No. 590

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Member Ferreras.

Whereas, On June 26, 2014 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

Whereas, On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now therefore be it

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Housing Preservation Initiative (HPI) in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrants Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Infant Mortality Reduction Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 14.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 590 printed in these Minutes).

Preconsidered Res. No. 591

Resolution concerning the establishment of the Meatpacking Area Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district

By Council Members Ferreras.

Whereas, pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated October 14, 2014, provided for the preparation of a district plan (“the Plan”) for the Meatpacking Area 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 establishing Business Improvement Districts; and

Whereas, pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on November 3, 2014; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on November 6, 2014; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on November 6, 2014; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community boards for the community districts in which the proposed District is located (Manhattan Community Boards Number 2 and 4, hereinafter “the Community Boards”) on November 6, 2014; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Manhattan Borough Board and Manhattan Borough President on November 6, 2014; and

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

Whereas, Manhattan Community Board 2 voted to approve the establishment of the District on November 20, 2014; and

Whereas, Manhattan Community Board 4 voted to approve the establishment of the District on December 3, 2014; and

Whereas, pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

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

Whereas, pursuant to section 25-405(c) of the Law, a copy of the CPC's report, together with the original Plan, was transmitted for filing with the City Clerk on January 26, 2015; and

Whereas, pursuant to section 25-406(a) of the Law, a copy of the 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 Law, the 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 Law, any owner of real property, deemed benefited and therefore within the District, objecting to the 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 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 establishment, 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 establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that March 11, 2015 is the date and 10:00 a.m. is the time and the City Council Committee Meeting Room, City Hall, is the place for a public hearing ("the Public Hearing") to hear all persons interested in the establishment of the District; and be it further

Resolved, That the Meatpacking Area BID Steering Committee shall, not less than ten nor more than thirty 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 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 District, and to the tenants of each building within the proposed District; and be it further

Resolved, That 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 nor more than thirty days before the date of the Public Hearing; and be it further

Resolved, That in the event that the Meatpacking Area BID Steering Committee 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 Law.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 682

By Council Members Garodnick, Williams, Chin, Constantinides, Gibson, King, Koslowitz, Lancman, Levin, Richards, Rose, Rosenthal and Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to licensing tenant relocation specialists.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 33 to read as follows:

SUBCHAPTER 33

TENANT RELOCATION SPECIALISTS

§ 20-539 Definitions.

§ 20-540 Tenant relocation specialist license; tenant relocation agency license.

§ 20-541 Application; examination.

§ 20-542 Bond required.

§ 20-543 Responsibilities of tenant relocation agencies.

§ 20-544 Educational materials.

§ 20-545 Fee; term.

§ 20-546 Rules and regulations.

§ 20-547 Issuance, renewal, suspension and revocation of a license.

§ 20-548 Violations and penalties.

§ 20-549 Reporting.

§ 20-539 Definitions. For the purposes of this subchapter, the following definitions shall apply:

a. "Multiple dwelling" means a multiple dwelling as defined in paragraph seven of subdivision a of section 27-2004 of the housing maintenance code.

b. "Owner" means an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of the housing maintenance code.

c. "Tenant relocation agency" means a person or entity who employs, as a direct employee, independent contractor or otherwise, a tenant relocation specialist in the city or who refers a tenant relocation specialist for another in the city. Such

term does not include an owner of property employing or otherwise retaining a tenant relocation specialist for services in connection with such property.

d. "Tenant relocation specialist" means a natural person who, for another and for a fee, commission or other valuable consideration, communicates with a tenant of a multiple dwelling, or a member of such tenant's family or household, regarding the payment of money or other valuable consideration to induce such tenant to relocate from the multiple dwelling.

§ 20-540 Tenant relocation specialist license; tenant relocation agency license. It shall be unlawful for any person to engage in the business or occupation of, hold himself or herself out as or to act as a tenant relocation specialist or tenant relocation agency without having first obtained from the commissioner a license pursuant to this subchapter.

§ 20-541 Application; examination. a. An application for a tenant relocation specialist license or tenant relocation agency license, or renewal of either, shall be made to the commissioner on a form prescribed by him or her.

b. Each applicant for a tenant relocation specialist license or tenant relocation agency license, or renewal of either, shall be required to pass an examination administered by the commissioner which shall test the knowledge of the applicant of relevant laws and rules, including, but not limited to, laws regarding tenant harassment.

§ 20-542 Bond required. a. As a condition of the issuance of a tenant relocation specialist license, each applicant for such license or a renewal thereof shall furnish to the commissioner a surety bond executed by the applicant in the sum of fifty thousand dollars, payable to the city of New York, and a surety approved by the commissioner. Such bond shall be conditioned upon the applicant's compliance with the provisions of this subchapter and any rules promulgated thereunder, and upon the further condition that the applicant will (i) pay to the city any fine, penalty or other obligation the city imposes in relation to a violation of this subchapter or rules promulgated thereunder and (ii) pay to a plaintiff any final judgment recovered in an action arising out of a violation of this subchapter, or rules promulgated thereunder, within thirty days of its imposition.

b. If an applicant is unable to obtain a surety bond as required by subdivision a of this section, and upon the provision of proof satisfactory to the commissioner of such inability, the individual applicant may, in lieu of furnishing such bond, deposit an amount of no less than five thousand dollars in a fund to be established by the commissioner to (i) pay to the city any fine, penalty or other obligation the city imposes relating to a violation of this subchapter or rules promulgated thereunder and (ii) pay to a plaintiff any final judgment recovered in an action arising out of a violation of this subchapter, or rules promulgated thereunder, within thirty days of its imposition.

c. As a condition of the issuance of a tenant relocation agency license, each applicant for such license or a renewal thereof shall furnish to the commissioner a surety bond in the sum of seventy-five thousand dollars executed by the applicant payable to the city of New York, and a surety approved by the commissioner. Such bond shall be conditioned upon the applicant's compliance with the provisions of this subchapter and any rules promulgated thereunder, and upon the further

condition that the applicant will pay (i) to the city any fine, penalty or other obligation the city imposes relating to a violation of this subchapter and any rules promulgated thereunder, and (ii) to a plaintiff any final judgment recovered in an action arising out of the violation of any of the provisions of this subchapter within thirty days of its imposition.

§ 20-543 Responsibilities of tenant relocation agencies. A tenant relocation agency licensed under this subchapter shall be legally responsible for any violation of the terms of the tenant relocation specialist license by a tenant relocation specialist employed, as a direct employee, independent contractor or otherwise by such agency, or referred by such agency.

§ 20-544 Educational materials. The commissioner shall develop educational materials to be provided to tenant relocation specialists and tenant relocation agencies licensed under this subchapter. Such materials shall at a minimum identify and describe the laws and regulations relating to tenant harassment.

§ 20-545 Fee; term. a. The biennial license fee for a tenant relocation specialist license or a tenant relocation agency license shall be three hundred forty dollars.

§ 20-546 Rules and regulations. The commissioner may make and promulgate such rules and regulations as he or she may deem necessary for the proper implementation and enforcement of this subchapter.

§ 20-547 Issuance, renewal, suspension and revocation of a license. a. A license issued hereunder may be suspended or revoked or its renewal denied by the commissioner, after notice and an opportunity for a hearing, for the failure of the licensee to comply with this subchapter or a rule, regulation or order promulgated by the commissioner.

b. It shall be a violation of the terms of the tenant relocation specialist license for a licensee to:

(i) initiate contact with a tenant of a multiple dwelling, or a member of such tenant's family or household, regarding the payment of money or other valuable consideration to induce such tenant to relocate from the multiple dwelling unless such initial communication is in writing, includes the specific terms of the relevant offer, a notification that the tenant may refuse such offer and may refuse further communication, a phone number that such tenant may use during normal business hours to contact a natural person who can provide information relating to such communication and offer, and the name of the tenant relocation specialist;

(ii) threaten, intimidate or use profane or obscene language while communicating with a tenant of a multiple dwelling, or a member of such tenant's family or household, regarding the payment of money or other valuable consideration to induce such tenant to relocate from the multiple dwelling;

(iii) communicate with a tenant of a multiple dwelling, or a member of such tenant's family or household, with such frequency, at such unusual hours or in such a manner as can reasonably be expected to abuse or harass such person;

(iv) contact a tenant of a multiple dwelling, or a member of such tenant's family or household, at such person's place of employment without the prior written consent of the tenant;

(v) *initiate or continue contact with a tenant of a multiple dwelling, or any member of such tenant’s family or household, after such tenant has notified such tenant relocation specialist, verbally or in writing, that such tenant does not wish to be contacted regarding the payment of money or other valuable consideration to induce such tenant to relocate from the multiple dwelling;*

(vi) *misrepresent, directly or by implication, the reason for contacting a tenant of a multiple dwelling, or any member of such tenant’s family or household; or*

(vii) *knowingly falsify or misrepresent any information provided to the tenant.*

§ 20-548 Violations and penalties. A person who, after notice and hearing shall be found in violation of this subchapter, or a rule promulgated thereunder, shall be punished in accordance with the provisions of chapter one of this title and shall be subject to a civil penalty of not less than one thousand dollars nor more than ten thousand dollars for each violation. In addition to any such penalty, where a licensed tenant relocation specialist or tenant relocation agency is found in violation of this subchapter, or a rule promulgated thereunder, such license may, after notice and an opportunity for a hearing, be revoked.

§ 20-549 Reporting. On or before March 31 of the year following the first full calendar year in which this chapter is in effect, and on or before March 31 of each year thereafter, the commission shall report to the mayor and the council on the implementation of this chapter for the previous calendar year. Such report shall include, but not be limited to, the following information for the previous calendar year: (i) the number of licenses applied for, granted, renewed and revoked under this chapter, disaggregated by type of license, (ii) the number of surety bonds executed in accordance with section 20-542,(iii) the number of violations issued and (iv) the amount of civil penalties assessed for such violations.

§2. This local law shall take effect one hundred twenty days after its enactment, provided, however, that the commissioner of consumer affairs shall take any actions necessary for its implementation prior to such effective date including, but not limited to, the promulgation of rules.

Referred to the Committee on Consumer Affairs.

Int. No. 683

By Council Members Garodnick, Vacca, Chin, Constantinides, Eugene, Gibson, Koo, Rose, Vallone and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that local government websites are accessible to persons with disabilities.

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

CHAPTER 12**ACCESSIBLE CITY WEBSITES**

§ 8-1201 Accessibility. *On or after January 1, 2015, all New York city agency websites shall be designed to meet all of the technical standards for accessibility for persons with disabilities to web-based intranet and internet information and applications as set forth in section 1194.22 of title 36 of the code of federal regulations.*

§ 8-1202 Report. *Within one year of the effective date of this section, the department shall submit to the mayor and the council a written report analyzing the accessibility of New York city agency websites which shall include, but not be limited to, a list of city websites which are not in compliance with this chapter, and a list of, and explanation for, city websites that have chosen to create a separate text-only page with equivalent information or functionality.*

§ 2. This local law shall take effect one hundred and twenty days after its enactment into law.

Referred to the Committee on Technology.

Int. No. 684

By Council Members Johnson, Levin, Palma, Dromm, Menchaca, Mendez, Torres, Van Bramer, Arroyo, Chin, Constantinides, Dickens, Eugene, Koo, Richards, Rose and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of services to people living with HIV and AIDS.

Be it enacted by the Council as follows:

Section 1. Section 21-126 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

§ 21-126 Division of AIDS services. There shall be a division of AIDS services within the New York city department of social services. Such division shall provide access to benefits and services as defined in section 21-128(a)(1) of this chapter to every person *with HIV infection* [with clinical/symptomatic HIV illness, as determined by the New York state department of health AIDS institute, or with AIDS, as defined by the federal centers for disease control and prevention,] who requests assistance, and shall ensure the provision of benefits and services to eligible persons as defined in section 21-128(a)(3) of this chapter *with HIV infection*. [with clinical/symptomatic HIV illness or with AIDS.]

§ 2. Section 21-127 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

§ 21-127 Case management and allowances. The commissioner shall direct staff of the division of AIDS services to provide to persons *with HIV infection* [with clinical/symptomatic HIV illness, as determined by the New York state department of health AIDS institute, or persons with AIDS, as defined by the federal centers for disease control and prevention,] who satisfy the income eligibility requirements for medicaid as set forth in section 1396 et. seq. of title 42 of the United States code:(i) intensive case management with an average ratio which shall not exceed one caseworker or supervisor to twenty-five family cases, and with an overall average ratio for all cases which shall not exceed one caseworker or supervisor to thirty-four cases; and (ii) transportation and nutrition allowances. Such transportation and nutrition allowances shall be provided to each such person in an amount not less than the amount per person provided on the effective date of the local law that added this section. Notwithstanding the requirements of this section, in the event of a material reduction in the state of New York's funding allocation, the council and the mayor shall modify such amount of allowances pursuant to section 107 or sections 254, 255 and 256 of the charter of the city of New York.

§ 3. Paragraphs 1 and 9 of subdivision a of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997 and local law 32 of 2005, respectively, are amended to read as follows:

a. Whenever used in this section, the following terms shall be defined as follows:

1. "Access to benefits and services" shall mean the provision of assistance by staff

of the division to a person *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] at a single location in order to apply for publicly subsidized benefits and services, to establish any and all elements of eligibility including, but not limited to, those elements required to be established for financial benefits, and to maintain such eligibility and shall include, but not be limited to, assistance provided at a field office of the department, at the home of the applicant or recipient, at a hospital where such applicant or recipient is a patient or at another location, in assembling such documentation as may be necessary to establish any and all elements of eligibility and to maintain such eligibility;

9. "Person *with HIV infection*" [with clinical/symptomatic HIV illness or with AIDS"] shall mean a person *who has received a conclusive determination that he or she is infected with HIV*; [who has at any time been diagnosed with clinical/symptomatic HIV illness, as determined by the New York state department of health AIDS institute, or a person with AIDS, as defined by the federal centers for disease control and prevention;]

§ 4. Subdivision b of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

b. The commissioner shall direct staff of the division of AIDS services to provide access to benefits and services to every eligible person *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] who requests assistance, and shall ensure the provision of benefits and services to eligible persons *with HIV infection* [with clinical/symptomatic HIV illness and with AIDS]. Any eligible person shall receive only those benefits and services for which such person qualifies in accordance with the applicable eligibility standards established pursuant to local,

state or federal statute, law, regulation or rule. Such benefits and services shall include, but not be limited to: medically appropriate transitional and permanent housing; medicaid, as set forth in section 1396 et. seq. of title 42 of the United States code and other health-related services; home care and home health services as set forth in sections 505.21 and 505.23 of title 18 of the official compilation of the codes, rules and regulations of the state of New York; personal care services as set forth in section 505.14 of title 18 of the official compilation of the codes, rules and regulations of the state of New York; homemaker service as set forth in part 460 of title 18 of the official compilation of the codes, rules and regulations of the state of New York; food stamps, as set forth in section 2011 et. seq. of title 7 of the United States code; transportation and nutrition allowances as required by section 21-127 of this chapter; housing subsidies, including, but not limited to, enhanced rental assistance as set forth in section [397.11] 352.3(k) of title 18 of the official compilation of the codes, rules and regulations of the state of New York; financial benefits; and intensive case management as required by section 21-127 of this chapter. The commissioner shall have the authority to provide access to additional benefits and services and ensure the provision of such additional benefits and services whenever deemed appropriate. The requirements with respect to such access to and eligibility for benefits and services shall not be more restrictive than those requirements mandated by state or federal statute, law, regulation or rule. Within thirty days of the effective date of the local law that added this section, the commissioner shall establish criteria pursuant to which an applicant shall be entitled to a home or hospital visit for the purpose of establishing eligibility and applying for benefits and services.

§ 5.Paragraph 1 of subdivision c of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 50 of 2005, is amended to read as follows:

c. 1. Upon written or oral application to the division for benefits and services or submission of documents required to establish eligibility for benefits and services by a person *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS], such person shall immediately be provided with a receipt which shall include, but not be limited to, the date, a description of the information received, and a statement as to whether any application for such benefits and services is complete or incomplete, and if incomplete, such receipt shall identify any information or documents needed in order for the application to be deemed complete.

§ 6. Subdivision d of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

d. Where a person *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] who applies for benefits and services, or access to benefits and services, indicates that one or more minor children reside with him or her or are in his or her care or custody, such person shall be given information and program referrals on child care options and custody planning, including the availability of standby guardianship pursuant to section 1726 of the surrogate's court procedure act of the state of New York and referral to legal assistance programs.

§ 7. Subdivision f of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

f. Eligibility for benefits and services for persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] may not be terminated except where the recipient is determined to no longer satisfy eligibility requirements, is deceased, or upon certification by the commissioner that the recipient cannot be located to verify his or her continued eligibility for benefits and services. In the latter circumstance, the division shall conduct a reasonable good faith search for at least a ninety-day period to locate the recipient, including sending written notice by certified mail, return receipt requested, to the last known address of such recipient, requiring the recipient to contact the division within ten days.

§ 8. Subdivision g of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

g. Not later than sixty days from the effective date of the local law that added this section, the commissioner shall prepare a draft policy and procedures manual for division staff. Such policy and procedures manual shall include, but not be limited to, strict guidelines on maintaining the confidentiality of the identity of and information relating to all applicants and recipients, instructional materials relating to the medical and psychological needs of persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS,] application procedures, eligibility standards, mandated time periods for the provision of each benefit and service available to applicants and recipients and advocacy resources available to persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS]. Such list of advocacy resources shall be updated semi-annually. Within thirty days following the preparation of such draft policy and procedures manual and prior to the preparation of a final policy and procedures manual, the commissioner shall distribute such draft policy and procedure manual to all social service agencies and organizations that contract with the department to provide HIV-related services and to all others whom the commissioner deems appropriate, and hold no fewer than one noticed public hearing at a site accessible to the disabled, at which advocates, service providers, persons who have tested positive for HIV, and any other member of the public shall be given an opportunity to comment on such draft policy and procedures manual. The commissioner shall prepare a final policy and procedures manual within thirty days after the conclusion of such hearing and shall thereafter review and where appropriate, revise such policy and procedures manual on an annual basis. The commissioner shall provide for semi-annual training, using such policy and procedures manual, for all division staff.

§ 9. Subdivision h of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

h. Not later than sixty days from the effective date of the local law that added this section, the commissioner shall publish a proposed rule establishing a bill of rights for persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS]. Such draft bill of rights shall include, but not be limited to, an explanation of the benefits and services for which persons *with HIV infection* [with

clinical/symptomatic HIV illness or with AIDS] may be eligible; timetables within which such benefits and services shall be provided to eligible persons; an explanation of an applicant's and recipient's right to examine his or her file and the procedure for disputing any information contained therein; an explanation of an applicant's and recipient's right to a home or hospital visit for the purpose of applying for or maintaining benefits or services; an explanation of the process for requesting a division conference or New York state fair hearing; and a summary of the rights and remedies for the redress of discrimination as provided for in title eight of this code. Within sixty days following the publication of such proposed rule, and prior to the publication of a final rule, the commissioner shall hold no fewer than one noticed public hearing at a site accessible to the disabled at which advocates, service providers, persons who have tested positive for HIV, and any other member of the public shall be given an opportunity to comment on such draft bill of rights. The commissioner shall publish a final rule within thirty days after the conclusion of such hearing and shall thereafter review, and where appropriate, revise such bill of rights on an annual basis. Such bill of rights shall be conspicuously posted in all division offices that are open to the public and shall be available for distribution to the public in English, Spanish and any other languages that the commissioner deems appropriate.

§ 10. Subdivision i of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

i. Not later than ninety days from the effective date of the local law that added this

section, the commissioner shall establish a policy or procedure for overseeing and monitoring the delivery of services required pursuant to this section to persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] which shall include, but not be limited to, quality assurance measurements. The commissioner shall submit such policy or procedure to the mayor and the council in writing within ten days from the date such policy or procedure is established.

§ 11. Paragraph 1 of subdivision j of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 32 of 2005, is amended to read as follows:

j. The commissioner shall submit written, quarterly reports to the mayor and the council that shall, at a minimum, provide the following information:

1. The number of persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] who requested benefits or services set forth in subdivision b of this section or any other benefits or services provided by the division.

§ 12. Subdivision k of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 49 of 1997, is amended to read as follows:

k. There shall be an advisory board to advise the commissioner on the provision of benefits and services and access to benefits and services to persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] as required by this section. This advisory board shall consist of eleven members to be appointed for two-year terms as follows: five members, at least three of whom shall be eligible for benefits and services pursuant to this section, who shall be appointed By The

Speaker of the council and six members, including the chairperson of the advisory board, at least three of whom shall be eligible for benefits and services pursuant to this section, who shall be appointed by the mayor. The advisory board shall meet at least quarterly and members shall serve without compensation. Such advisory board may formulate and recommend to the commissioner a policy or procedure for overseeing and monitoring the delivery of services to persons *with HIV infection* [with clinical/symptomatic HIV illness or with AIDS] which may include quality assurance measurements. Such advisory board shall submit such recommended policy or procedure to the mayor and the council upon submission to the commissioner.

§ 13. Subdivision 1 of section 21-128 of chapter 1 of title 21 of the administrative code of the city of New York, as last amended by local law 51 of 2005, is amended by adding a new paragraph 2 to read as follows:

(2)The provisions of paragraph 1 of this subdivision shall also apply to the tracking of information of clients with HIV infection.

§ 14.This local law shall take effect 30 days following final legislative or regulatory action by New York state to provide access to benefits and services as outlined in section 21-128 of the administrative code of the city of New York to every eligible person with HIV infection or upon written notification to the council by the commissioner of the department of social services/human resources administration that New York state has provided sufficient funding to implement this local law.

Referred to the Committee on General Welfare.

Int. No. 685

By Council Members Johnson, Williams, Rosenthal, Chin, Eugene, Richards, Rose, Rodriguez, Cornegy, Garodnick, Van Bramer, Koslowitz, Kallos, Lander and Levin.

A Local Law to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws.

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number sixteen for the year 2012, is amended to read as follows:

§26-502. Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the City of New York and will continue to exist on and after April first, [two thousand twelve] *two thousand fifteen* and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§2. Section 26-520 of the administrative code of the city of New York, as amended by local law number sixteen for the year 2012, is amended to read as follows:

§26-520 Expiration date. This chapter shall expire on April first, [two thousand fifteen] *two thousand eighteen* unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

§3. This local law shall take effect immediately upon its enactment into law.

Referred to the Committee on Housing and Buildings.

Int. No. 686

By Council Members Kallos, Arroyo, Eugene, Koo, Lancman, Richards, Rose and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to notify 311 and place information on its website regarding the location of motor vehicles towed due to a temporary parking restriction change.

Be it enacted by the Council as follows:

Section 1. Section 19-175.1 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. The commissioner shall make available on a website and by calling 311, information regarding the location of motor vehicles towed due to a temporary parking restriction change. Such website shall be searchable by license plate number.

§2. Subdivision b of section 19-175.2 of the administrative code of the city of New York is amended to read as follows:

b. Before the department makes temporary parking restriction changes to conduct road repairs, it shall post notice of the effective date of such restrictions as soon as practicable. Such notice shall state that no notice of violations shall be issued for violations of such temporary parking restrictions and that if an owner's motor vehicle is missing from the affected streets, the motor vehicle may have been towed and the motor vehicle owner should contact the local police precinct for information about the location of such motor vehicle. *The notice shall also state that the motor vehicle owner may contact 311 or visit the department's website for information about the location of such motor vehicle.*

§3. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Transportation.

Int. No. 687

By Council Members Koslowitz and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the placement of newsracks near taxi stands.

Be it enacted by the Council as follows:

Section 1. Paragraph 6 of subdivision b of section 19-128.1 of chapter 1 of title 19 of the administrative code of the city of New York is amended to read as follows:

6. A newsrack shall not be placed, installed or maintained: (a) within fifteen feet of any fire hydrant; (b) in any driveway or within close proximity of any driveway; (c) in any curb cut designed to facilitate street access by disabled persons or within two feet of any such curb cut;(d)within close proximity of the entrance or exit of any railway station or subway station;(e)within any bus stop;(f) within a crosswalk area;(g)within a corner area or within five feet of any corner area; (h) on any surface where such installation or maintenance will cause damage to or will interfere with the use of any pipes, vault areas, telephone or electrical cables or other similar locations; (i) on any cellar door, grating, utility maintenance cover or other similar locations;(j) on, in or over any part of the roadway of any public street; (k) unless eight feet of sidewalk width is preserved for unobstructed pedestrian passage;(l) in any park or on any sidewalk immediately contiguous to a park where such sidewalk is an integral part of the park design, such as the sidewalks surrounding Central Park or Prospect Park; (m) on any area of lawn, flowers, shrubs, trees or other landscaping or in such a manner that use of the newsrack would cause damage to such landscaping; (n) *within three feet ahead or 25 feet to the rear of any designated taxi stand*; or [(n)] (o) where such placement, installation or maintenance endangers the safety of persons or property. Any limitation on the placement or installation of newsracks pursuant to this paragraph shall be no more restrictive than necessary to ensure the safe and unobstructed flow of pedestrian and vehicular traffic, and otherwise to assure the safety of persons and property.

§ 2. This local law shall take effect ninety days after it shall have become a law, except that the commissioner of the department of transportation may take all actions necessary, including the promulgation of rules, to implement this local law on or before the date upon which it shall take effect.

Referred to the Committee on Transportation.

Int. No. 688

By Council Members Lancman, Mendez and Arroyo.

A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of harassment to include illegal conversions of dwelling units.

Be it enacted by the Council as follows:

Section 1. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

48. Except where otherwise provided, the term “harassment” shall mean:

(a) *that an owner has engaged in conduct in violation of section 28-210.3 of the administrative code of New York; or*

(b) any act or omission by or on behalf of an owner that (i) causes or is intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, and (ii) includes one or more of the following:

[a.] (1) using force against, or making express or implied threats that force will be used against, any person lawfully entitled to occupancy of such dwelling unit;

[b.] (2) repeated interruptions or discontinuances of essential services, or an interruption or discontinuance of an essential service for an extended duration or of such significance as to substantially impair the habitability of such dwelling unit;

[c.] (3) failing to comply with the provisions of subdivision c of section 27-2140 of this chapter;

[d.] (4) commencing repeated baseless or frivolous court proceedings against any person lawfully entitled to occupancy of such dwelling unit;

[e.] (5) removing the possessions of any person lawfully entitled to occupancy of such dwelling unit;

[f.] (6) removing the door at the entrance to an occupied dwelling unit; removing, plugging or otherwise rendering the lock on such entrance door inoperable; or changing the lock on such entrance door without supplying a key to the new lock to the persons lawfully entitled to occupancy of such dwelling unit; or

[g.] (7) other repeated acts or omissions of such significance as to substantially interfere with or disturb the comfort, repose, peace or quiet of any person lawfully entitled to occupancy of such dwelling unit and that cause or are intended to cause any person lawfully entitled to occupancy of a dwelling unit to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy.

§2. Subparagraph i of paragraph 2 of subdivision h of section 27-2115 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

(i) Notwithstanding the provisions of paragraph one of this subdivision, where one or more allegations of harassment pursuant to [subparagraphs b, c and g] *clauses 2, 3 and 7 of subparagraph b* of paragraph 48 of subdivision a of section 27-2004 of this chapter is made, to the extent that any such allegation is based on the physical conditions of a dwelling or dwelling unit, such allegation must be based at least in part on one or more violations of record issued by the department or any other agency. Where any allegation of harassment is based on more than one physical condition, the existence of at least one violation of record with respect to any such physical condition shall be deemed sufficient to meet the requirements of this paragraph.

§3. Paragraph 2 of subdivision m of section 27-2115 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

(2) If a court of competent jurisdiction finds the conduct in violation of subdivision d of section 27-2005 of this chapter has occurred, it may determine that a class c violation existed at the time that such conduct occurred. Notwithstanding the foregoing, such court may also issue an order restraining the owner of the property from violating such subdivision and direct the owner to ensure that no further violation occurs, in accordance with section 27-2121 of this chapter, Such court shall impose a civil penalty in an amount not less than one thousand dollars and not more than five thousand dollars for each dwelling unit in which a tenant or any person lawfully entitled to occupancy of such unit has been the subject of such violation, and such other relief as the court deems appropriate. It shall be an affirmative defense to an allegation by a tenant of the kind described in [subparagraphs b, c and g] *clauses 2, 3 and 7 of subparagraph b* of paragraph forty-eight of subdivision a of section 27-2004 of this chapter that (i) such condition or service interruption was not intended to cause any lawful occupant to vacate a dwelling unit or waive or surrender any rights in relation to such occupancy, and (ii) the owner acted in good faith in a reasonable manner to promptly correct such condition or service interruption, including providing notice to all affected lawful occupants of such efforts, where appropriate.

§4. This local law shall take effect 120 days after its enactment into law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 689

By Council Members Lander, Garodnick, Mealy, Chin, Crowley, Lancman and Rose.

A Local Law in relation to establishing a housing discrimination testing program.

Be it enacted by the Council as follows:

Section 1. Investigation of discrimination in housing accommodations. a. For a period of one year, the commission on human rights shall organize and conduct an investigation of discrimination in housing accommodation services, during which the commission shall test local housing accommodation providers, including, but not limited to, the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof. Such investigation shall include but not be limited to sending out matched pairs of testers who shall apply for the same housing accommodations and who shall present similar credit histories but who shall not present the same actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, alienage or citizenship status, lawful source of income, number of children who will be residing with such

person or persons, or other protected characteristic pursuant to subdivision 5 of section 8-107 of the administrative code of the city of New York. The investigation shall commence on or before June 1, 2015.

b. On or before June 1, 2016, the commission shall submit to the speaker of the council a report related to the housing accommodation investigation conducted during the prior 12 month period. Such report shall include, but not be limited to: (i) the number of matched pair tests completed; (ii) the location of each matched pair test; and (iii) the number of incidents of actual or perceived discrimination including a summary of the details of any incidents of discrimination.

c. Any incidents of actual or perceived discrimination shall be referred to the commission's law enforcement bureau.

d. Nothing herein shall preclude the commission from conducting other such discrimination testing programs or investigations.

§ 2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Civil Rights.

Res. No. 592

Resolution calling upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

By Council Members Levine, Dromm, The Speaker (Council Member Mark-Viverito), Arroyo, Chin, Gibson, Johnson, King, Rose, Koslowitz and Barron.

Whereas, The Campaign for Fiscal Equity (CFE), a non-profit organization founded by a coalition of concerned parents and education advocates, filed a lawsuit against New York State in 1993 seeking adequate resources and the opportunity for a sound basic education for all students in New York City; and

Whereas, After 13 years of litigation, the case's final ruling by the Court of Appeals, in 2006, confirmed that the State's school funding system violated New York City schoolchildren's constitutional right to a "sound basic education" which it defined as the "opportunity for a meaningful high school education, one which prepares them to function productively as civic participants"; and

Whereas, According to the Education Law Center, *CFE v. State of New York* was a landmark case in which the court established the State's constitutional obligation to provide essential resources to all public school children; and

Whereas, In order to comply with Court of Appeals *CFE* ruling, the State Education Budget and Reform Act of 2007 (Education Act) was enacted; and

Whereas, The Education Act provided for an increase of over \$7 billion in State education aid to be phased-in over four years, by 2011, and the majority, \$5.5 billion, to be allocated to school districts based on student need through a new Foundation Formula; and

Whereas, The State's funding increase for New York City was set at \$3.2 billion; and

Whereas, In the first two years, the State provided the required installments of the Foundation Aid Formula totaling \$2.3 billion statewide; and

Whereas, However, due to an economic downturn, the State budget enacted for 2009-10 froze the CFE funding increase for two years; and

Whereas, Further, State education aid was cut by a total of \$2.7 billion in 2010 and 2011 through a mechanism called the Gap Elimination Adjustment, which seeks to balance the State's overall budget by reducing state school aid; and

Whereas, Despite modest increases in State education funding in the past 3 years, the increases have barely covered prior cuts, leaving a huge gap in terms of what was required under the 2007 Education Act to comply with the CFE ruling; and

Whereas, According to an August 2014 report by the Alliance for Quality Education and other advocates, New York State owes its public schools \$5.9 billion in Foundation Aid and Gap Elimination Adjustment funding; and

Whereas, New York City is currently owed more than \$2.5 billion, according to that same report; and

Whereas, The State has not yet fully implemented the funding increases that the Legislature committed to in settlement of *CFE v. State of New York* which required that the State meet its constitutional obligation to provide essential resources to all public school children to give them the opportunity for a sound basic education; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to fully implement the education funding requirements for New York City resulting from the Campaign for Fiscal Equity v State of New York case.

Referred to the Committee on Education.

Int. No. 690

By Council Members Mealy, Arroyo, Chin, Crowley, Lancman, Rose, Williams, Cabrera, King, Lander, Miler and Garodnick.

A Local Law in relation to establishing an employment discrimination testing program.

Be it enacted by the Council as follows:

Section 1. Investigation of discrimination in employment. a. For a period of one year, the commission on human rights shall organize and conduct an investigation of discrimination in employment, during which the commission shall test local employers, including, but not limited to, any employer, labor organization or employment agency or an employee or agent thereof. Such investigation shall include but not be limited to sending out matched pairs of testers who shall apply for the same job and who shall present similar credentials but who shall not present the same

actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status, or other protected characteristic pursuant to title 8 of the administrative code of the city of New York. The investigation shall commence on or before January 31, 2015.

b. On January 31, 2016, the commission shall submit to the speaker of the council a report related to employment investigation conducted during the prior 12 month period. Such report shall include, but not be limited to: (i) the number of matched pair tests completed; (ii) the location of each matched pair test; (iii) a description of any other tests or exercises done pursuant to such investigation; (iv) the number of incidents of actual or perceived discrimination; and (v) the details of any incidents of discrimination encountered during such investigation.

c. Any incidents of actual or perceived discrimination that occur during such investigation shall be referred to the commission's law enforcement bureau.

§ 2. This local law shall take effect immediately upon enactment.

Referred to the Committee on Civil Rights.

Int. No. 691

By Council Members Mendez, Arroyo and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to extending the statute of limitations period for appealing a Board of Standards and Appeals decision

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 25-207 of the administrative code of the city of New York is hereby amended to read as follows:

a. Petition. Any person or persons[,] jointly or severally aggrieved by any decision of the board may present to the supreme court a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to a justice of the supreme court or at a special term of the supreme court within *four months* [thirty days] after the filing of the decision in the office of the board.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 692

By The Public Advocate (Ms. James) and Council Members Miller, Lancman, Kallos, Eugene and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a private pension advisory board.

Be it enacted by the Council as follows:

Section 1. Title 13 of the administrative code of the city of New York is amended by adding a new chapter 7 to read as follows:

Chapter 7: PRIVATE PENSION ADVISORY BOARD

§ 13-806 Private pension advisory board *a. There shall be a private pension advisory board to study the feasibility of establishing a pension fund for private sector workers in New York city and to provide relevant information concerning the need for such a pension fund and specific recommendations to the mayor, council, comptroller, public advocate and borough presidents concerning the establishment of such a private pension fund.*

b. Such advisory board shall consist of eleven members who shall have expertise in matters pertaining to pension funds and financial advisement and at least one of whom shall have expertise in demographics, at least one in municipal finance, at least one in organized labor and at least one in retiree savings, as follows:

- i. three members shall be appointed by the mayor;*
- ii. one member shall be appointed By The Speaker of the city council;*
- iii. one member shall be appointed by the comptroller;*
- iv. one member shall be appointed by the public advocate; and*
- v. one member shall be appointed by each of the five borough presidents.*

Members shall be appointed within sixty days of the enactment into law of the local law that added this section.

c. At its first meeting, the advisory board shall select a chairperson from among its members by majority vote of the board.

d. Each member shall serve for a term of twelve months, to commence after the final member of the advisory board is appointed. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

e. No member of the advisory board shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

f. Members of the advisory board shall serve without compensation and shall meet no less often than once per month.

g. The advisory board shall issue a report to the mayor, council, comptroller, public advocate and borough presidents no later than twelve months after the final member of the advisory board is appointed. Such report shall consider the input provided at the public hearings established by subdivision h of this section and shall include specific information on the following topics:

- i. the feasibility of establishing a pension fund for private-sector employees in New York city;*
- ii. access that private-sector workers in New York city currently have to pensions;*

iii. *data and estimates on the amount of savings and resources New York city residents will need for a financially secure retirement;*

iv. *data and estimates on the actual amount of savings and resources New York city residents will have for retirement, and whether those savings and resources will be sufficient for a financially secure retirement;*

v. *identify and quantify the risks to New York city associated with resident retirees without a secure retirement in terms of social, tax, financial, public benefits, health care, housing and public subsidies;*

vi. *recommended incentives to encourage retirement savings;*

vii. *examples of other jurisdictions that have established private-sector pension funds and any relevant lessons from the experiences of those jurisdictions;*

viii. *other programs that could be employed to compliment or in lieu of a private-sector pension fund; and*

ix. *recommendations for the structure, management, organization, administration and funding of any such pension fund.*

h. No later than six months after the effective date of the local law that added this section, the office of public advocate shall organize and hold no fewer than two public meetings in each borough to solicit input from members of the public regarding private pensions. Such public meetings shall be organized in conjunction with the borough president for the borough in which each such meeting is held. The public advocate and relevant borough president shall provide adequate notice to the public of such public meetings and shall provide a transcript of all such meetings to the advisory board established by subdivision a of this section no later than one month after such a meeting is held.

i. The advisory board shall continue to exist from the effective date of the local law that added this section, until the board issues the report required by subdivision g of this section, after which it shall cease to exist.

§ 2. This local law shall take effect immediately upon its enactment into law.

Referred to the Committee on Civil Service and Labor.

Int. No. 693

By Council Members Richards, Chin, Koo, Lander and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to reducing unnecessary illumination in city-owned and city-controlled spaces.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-209 to read as follows

§ 4-209 *Limitation on lighting in city-owned and city-controlled spaces.*

a. As used in this section:

“Compliant building” means a building in which all covered spaces comply with the occupancy sensor requirements of section C405.2.2.2 of the New York city energy conservation code for new construction.

“Covered building” means a building that (i) contains any covered space and (ii) is located in the city.

“Covered space” means space that (i) if newly constructed, would be required to comply with the occupancy sensor installation requirements of section C405.2.2.2 of the New York city energy conservation code and (ii) is located within a city-owned building or a building that is leased or operated by the city under an agreement that would authorize the city to install occupancy sensors in accordance with such section.

b. Existing covered spaces shall comply with the occupancy sensor installation requirements of section C405.2.2.2 of the New York city energy conservation code for new construction as follows:

1. by January 1, 2020, at least 50 percent of covered buildings shall be compliant buildings;

2. by January 1, 2025, at least 80 percent of covered buildings shall be compliant buildings;

3. by January 1, 2030, all covered buildings shall comply be compliant buildings.

c. By March 31 of 2016 and every year thereafter until 2030, the department of citywide administrative services shall, with the cooperation of all relevant agencies, report to the mayor and the speaker of the council the following information:

1. the number of covered buildings as of the end of the previous calendar year;

2. the number of compliant buildings and the percentage of covered buildings that are compliant buildings, as of the end of the previous calendar year; and

3. the number of covered buildings that became compliant buildings during the previous calendar year.

d. Every three years after the enactment of this legislation, the department of citywide administrative services shall, with the cooperation of all relevant agencies, report to the mayor and the speaker of the council on the energy saved as a result of the installation of occupancy sensors pursuant to this section.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 694

By Council Members Richards, Arroyo, Chin, Constantinides, Johnson, Koo, Lander, Rose, Koslowitz and Ulrich.

A Local Law to amend the New York city building code, in relation to increasing the number of electric vehicle charging stations in open parking lots and parking garages.

Be it enacted by the Council as follows:

Section 1. Section 406.2.11 of the building code of the city of New York, as added by local law number 130 for the year 2013, is amended to read as follows:

406.2.11 Electric vehicle charging stations. Parking garages shall be capable of supporting electrical vehicle charging stations in accordance with this section. Electrical raceway to the electrical supply panel serving the garage shall be capable of providing a minimum of 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage *and no later than January 1, 2030, to at least 40 percent of such spaces.* The electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage *and no later than January 1, 2030, to at least 40 percent of such spaces.* Such raceway and all components and work appurtenant thereto shall be in accordance with the *New York City Electrical Code.*

§ 2. Section 406.7.11 of the building code of the city of New York, as added by local law number 130 for the year 2013, is amended to read as follows:

406.7.11 Electric vehicle charging stations. Open parking lots shall be capable of supporting electric vehicle charging stations in accordance with this section. A minimum of 20 percent of the parking spaces in an open parking lot shall be equipped with electrical raceway capable of providing a minimum supply of 11.5kVA to an EVSE from an electrical supply panel *and no later than January 1, 2030, at least 40 percent of such spaces shall be equipped with such electrical raceway.* The raceway shall be no smaller than 1 inch. The electrical supply panel serving such parking spaces must have at least 3.1 kW of available capacity for each stall connected to it with raceway. Such raceway and all components and work appurtenant thereto shall be in accordance with the *New York City Electrical Code.*

§ 3. This local law shall take effect 180 days after its enactment into law.

Referred to the Committee on Housing and Buildings.

February 26, 2015

640

Res. No. 593

Resolution recognizing and endorsing Earth Week 2015.

By Council Members Richards, Rosenthal, Chin, Constantinides, Eugene, Gibson, Johnson, Koo and Rose.

Whereas, Earth Day, which is celebrated on April 22, is an annual event that takes place in more than 192 countries worldwide to demonstrate support for environmental protection; and

Whereas, The first Earth Day was initiated by United States Senator Gaylord Nelson, on April 22, 1970, when 20 million Americans participated in demonstrations across the country to bring attention to the lack of federal environmental laws and regulations, and to demand that environmental issues be included on the national policy agenda; and

Whereas, The first Earth Day was one of the largest grassroots demonstrations in the nation's history and was largely successful in drawing attention to environmental issues in the United States; and

Whereas, In the ensuing years, Congress authorized the creation of the United States Environmental Protection Agency; the country enacted federal environmental laws and regulations including the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act and the Endangered Species Act; and vast improvements in environmental conditions have been made consistently for more than four decades; and

Whereas, In 1990, environmental leaders launched a campaign to expand Earth Day celebrations beyond the United States, and as a result, Earth Day events took place in 141 nations on April 22, 1990, elevating the status of environmental issues on the international policy agenda; and

Whereas, Today, the greatest environmental issues that the international community faces include rapid climate change, natural resource depletion, waste disposal and pollution; and

Whereas, In some countries, cities and communities, including New York City, a week-long celebration is held, called Earth Week, which culminates on Earth Day; and

Whereas, Earth Week 2015 will be held from April 19 to April 25; and

Whereas, During Earth Week 2015, activities will be held throughout New York City and the world to support, promote and practice environmental protection; now, therefore, be it

Resolved, That the Council of the City of New York recognizes and endorses Earth Week 2015.

Referred to the Committee on Environmental Protection.

Int. No. 695

By Council Member Rodriguez, Reynoso, Menchaca, Lander, Rosenthal, Kallos, Arroyo, Chin and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to bicycle access for elevators in residential buildings.

Be it enacted by the Council as follows:

Section 1. Section 28-201.2.3 of chapter 2 of title 28 of the administrative code of the city of New York is amended by adding a new item 2 to read as follows:

2. A violation of section 28-505.1 or 28-505.2 of this code.

§ 2. Chapter 5 of Title 28 of the administrative code of the city of New York is amended by adding a new Article 505 to read as follows:

ARTICLE 505

BICYCLE ACCESS FOR ELEVATORS IN RESIDENTIAL BUILDINGS

§ 28-505.1 Requirement to allow bicycle access.

§ 28-505.2 Lease provisions void as against public policy.

§ 28-505.3 Enforcement.

§ 28-505.1 Requirement to allow bicycle access. The owner of a building containing space classified in occupancy group R shall allow tenants or subtenants of dwelling units therein to use each building elevator to transport bicycles to and from their dwelling units. This article shall apply to both passenger and freight elevators.

Exception: *Bicycle access need not be allowed for a building elevator in the following cases:*

1. The building elevator is not available because of an emergency or because it is undergoing maintenance or repair;

2. The building elevator is not compliant with chapter 30 of the New York city building code or any other applicable law or rule concerning the safety of such elevator;

3. Transporting bicycles in the building elevator would impede ingress or egress to such building as determined in accordance with rules promulgated by the department in consultation with the fire department; or

4. The building elevator does not provide access to a dwelling unit.

§ 28-505.2 Lease provisions void as against public policy. It shall be unlawful for an owner, by express terms in a lease or otherwise, to restrict a tenant or subtenant's rights as provided in this article. Any such restriction shall be unenforceable and deemed void as against public policy.

Exception: *Leases executed on or before the effective date of the local law adding this section that contain restrictions on a tenant or subtenant's rights as provided in this article shall not be deemed to be in violation of this section, but such restrictions shall be unenforceable and deemed void as against public policy.*

February 26, 2015

642

§ 28-505.3 *Enforcement.* A violation of this article shall be classified as a lesser violation, and shall be subject to applicable penalties under chapter 2 of this title.

§ 3. This local law shall take effect 120 days after enactment, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 696

By Council Members Rodriguez, Chin and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on bicycle related fatalities.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-186 of the administrative code of the city of New York, is amended to read as follows:

§ 19-186 *Compilation of bicycle crash data.* a. The department shall compile the total number of bicycle crashes that are reported to city agencies. Such bicycle crash compilation shall include, *but not be limited to, bicycle related fatalities in parks and on roadways*, crashes between bicycles, between bicycles and motorized vehicles and between bicycles and pedestrians. The department shall commence compiling such data on October 1, 2011.

b. On June 1, 2012 and annually thereafter, the department shall provide a report to the council for the preceding calendar year, with such report posted on the department's website, of the total number of reported crashes as required by subdivision a of this section, disaggregated by those involving solely bicycles, between bicycles and motorized vehicles, and between bicycles and pedestrians. Such report shall also include the number of injuries and fatalities resulting from such crashes disaggregated as above, *and shall include number of such crashes that occur in parks and on roadways as well as injuries and fatalities resulting from such crashes.* Such report shall also be disaggregated by borough and by police precinct.

§ 2. This local law shall take effect 120 days following its enactment into law.

Referred to the Committee on Transportation.

Int. No. 697

By Council Members Torres, Garodnick, Reynoso, Menchaca, Miller, Palma, Gibson, Arroyo, Levine, Rodriguez, Rosenthal, Constantinides, Richards, Johnson, Kallos, Espinal, Lander, Cabrera, Dromm, Eugene, King, Treyger, Williams and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to the regulation of laundries

Be it enacted by the Council as follows:

Section 1. Purpose. It is the purpose of this local law to expand the city's licensing scheme for laundries to cover, in addition to persons and businesses currently covered, specified businesses that launder fabrics for clients, and specified businesses that deliver laundry within the city, unless exempted, and to expand regulations for keeping laundry clean during delivery. This local law also makes technical changes to the affected provisions for the purpose of increasing clarity.

§ 2. Section 20-291 of the administrative code of the city of New York is amended to read as follows:

§ 20-291 [Definition] *Definitions*. Whenever used in this subchapter [the word "laundry" shall mean and include:], *the following terms have the following meanings:*

- a. The term "fabric" includes apparel, linens and other washable fabrics.*
- b. The term "launder" includes to wash, to dry, to starch and to iron.*
- c. The term "laundry" includes:*

1. [Any] *Except as otherwise provided in this subdivision, any place[, which is] used for the purpose of [washing, drying, starching or ironing, for the general public, wearing apparel, household linens, or other washable fabrics] laundering fabrics for a fee, whether for the general public or private clients, or a place used or maintained for the storage, collection or delivery of [such articles] fabrics for such service[, or].*

[2. Any place maintained by a person dealing in a laundry service either as an independent contractor or jobber, or any]

2. *Any private laundry maintained or operated in connection with any hotel, restaurant or public institution, whether for the tenants, customers or inmates of the same or otherwise, except a private laundry located on the premises of a hospital or charitable institution [where no charge is made for laundry services] that launders fabrics exclusively for such hospital or charitable institution and where such hospital or charitable institution does not charge its patients or clients for laundry services.*

3. *Any place[, whether self-service or otherwise maintained for the general public for the purpose of washing clothing apparel, or other fabrics, whether by] where members of the general public may use self-service machines to launder fabrics, including automatic or [coin operated] coin-operated laundry machinery. A facility for laundering fabrics that is maintained in connection with a residential dwelling for the convenience of the occupants of such dwelling is not a laundry under this subdivision.*

§ 3. Section 20-292 of the administrative code of the city of New York is amended to read as follows:

§ 20-292 License required. It [shall be] *is* unlawful for any person to establish, maintain, or operate a laundry without a license therefor.

§ 4. Section 20-293 of the administrative code of the city of New York is amended to read as follows:

§ 20-293 Application; special requirements. a. The application for a license or for any renewal thereof to conduct a laundry shall be in writing and shall state the specific location where laundry work is processed and the maximum number of persons to be employed therein. The commissioner, before issuing any such license *or renewal thereof*, shall cause an *unannounced* investigation to be made of the premises named and described in such application[,] for the purpose of determining whether *such premises are in full compliance with* the provisions of the health code, building code, safety and health standards promulgated pursuant to section twenty-seven of the labor law, state minimum wage law, local laws, regulations of municipal agencies and other requirements of this subchapter [are fully complied with], *including minimum standards of cleanliness and mandatory procedures for preventing the contamination of clean fabrics.*

b. If the commissioner [shall be] *is* satisfied that the proposed laundry [and the premises wherein it is located conform] *conforms* to the provisions of this subchapter and other laws relating thereto, he or she shall issue or cause to be issued a license authorizing such applicant to establish, maintain, conduct or operate a laundry at the place designated in such application for and during the period of such license.

c. *A licensee shall report any change in the information provided in an application for a license or renewal thereof within thirty days of such change.*

§ 5. Subdivision b of section 20-294 of the administrative code of the city of New York is amended to read as follows:

b. Any person dealing in laundry services as an independent contractor[,] *or* jobber [or as an agent-driver,] shall [be required to] pay a biennial fee of three hundred forty dollars and furnish a bond of five hundred dollars.

§ 6. Subdivision a of section 20-296 of the administrative code of the city of New York is amended to read as follows:

a. Each licensee shall keep inscribed on all [vehicles conveying laundry] *handcarts and pushcarts*, in letters not less than two inches in height, [his or her] *the licensee's* name and address[,] and the license number assigned to him or her by the commissioner.

§ 7. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 14.1 to read as follows:

***Subchapter 14.1
Laundry Delivery***

§ 20-297.1 Definitions.

§ 20-297.2 License required.

§ 20-297.3 Application; inspection of vehicles.

§ 20-297.4 Term of license; fee and bond.

§ 20-297.5 Persons covered by license.

§ 20-297.6 Vehicle identification required.

§ 20-297.7 Participation in parking fine abatement program.

§ 20-297.1 *Definitions. For purposes of this subchapter, the following terms have the following meanings:*

a. The term “deliver laundry” means to transport fabrics to a laundry for the purpose of laundering such fabrics, or to transport fabrics to a consumer or third-party after such fabrics have been laundered. The term “deliver laundry” does not include transportation of fabrics by a person who is not engaged in the laundering business or transportation for hire or who is engaged in transportation for hire but is transporting fabrics as an incident to transporting the owner of such fabrics.

b. The terms “fabric,” “launder” and “laundry” have the same meanings as in subchapter 14 of this chapter.

§ 20-297.2 License required. a. No person may deliver laundry unless:

- 1. Such person has a laundry delivery license pursuant to this subchapter; or*
- 2. Such person (a) is an employee or independent contractor of a laundry or other business that has a valid laundry delivery license pursuant to this subchapter and (b) is designated on such business’s application for a license in accordance with section 20-297.3.*

b. No business may cause an employee or independent contractor to deliver laundry in a vehicle belonging to such business unless the business has a laundry delivery license pursuant to this subchapter and such vehicle has been registered with the commissioner and inspected pursuant to section 20-297.3.

§ 20-297.3 Application; inspection of vehicles. a. An application for a license pursuant to this subchapter or for a renewal of such a license shall be on a form prescribed by the commissioner and shall state each of the following:

- 1. The name and business address of the applicant.*
- 2. The names and driver’s license numbers of all persons who deliver laundry on behalf of the applicant, including the applicant if applicable and employees and independent contractors of the applicant.*
- 3. The name, business address and business telephone number of all laundries to which the applicant delivers laundry for laundering. An applicant that is a laundry may satisfy the requirement of this paragraph by designating itself on its application.*
- 4. The business name, address and telephone number of each client to which the applicant or an employee or independent contractor of the applicant delivers laundry after laundering.*
- 5. The make, model and license plate number of each vehicle used by the applicant, or owned by the applicant and used by an employee or independent contractor of the applicant, for delivering laundry.*
- 6. If the applicant is a nonresident of the city, the name and address of a registered agent within the city upon whom process or other notification may be served or a designation of the commissioner for such purpose.*

b. The commissioner, before issuing such a license or a renewal thereof, shall cause an inspection to be made of all vehicles used by the applicant, or owned by the applicant and used by an employee or independent contractor of the applicant, to deliver laundry in order to determine whether such vehicles comply with minimum standards of cleanliness and mandatory procedures for preventing the contamination of clean fabrics, as determined by the commissioner by rule. Pursuant to such inspection, the commissioner shall also determine whether persons who handle fabrics before, during or after their delivery are in compliance with minimum

standards of cleanliness and mandatory procedures for preventing the contamination of clean fabrics, as determined by the commissioner by rule.

c. If the commissioner is satisfied that all vehicles and procedures used by the applicant to deliver laundry conform to the provisions of this subchapter and all other laws and rules relating thereto, the commissioner shall issue a license authorizing the applicant, and the employees and independent contractors designated in the applicant's application, to deliver laundry during the period that such license remains valid, using the vehicles designated in such application.

d. A licensee shall report any change in the information provided in such licensee's application within thirty days of such change. If such a change includes the registration of an additional vehicle for the purpose of delivering laundry, such licensee shall arrange with the department to have such vehicle inspected pursuant to subdivision b of this section before such vehicle may be used to deliver laundry.

§ 20-297.4 Term of license; fee and bond. a. A license pursuant to this subchapter is valid for one year, unless sooner suspended or revoked.

b. Each applicant for a laundry delivery license or a renewal of such license shall pay a fee and furnish a bond as required by the commissioner by rule. The commissioner may set the fee or bond based on the number of laundry delivery vehicles in the applicant's fleet. The amount of any renewal fee shall be in proportion to the cost of renewing the license of such applicant.

c. In addition to any fee required by subdivision b of this section, the commissioner may require a licensee that adds a laundry delivery vehicle to the licensee's fleet to pay a fee to cover the cost of registration and inspection of such vehicle pursuant to subdivision d of section 20-297.3.

d. A bond required by this section shall be:

1. Executed with two or more sureties or with a duly authorized surety company approved by the commissioner;

2. Payable to the people of the city; and

3. Conditioned on compliance with the provisions of this subchapter and on the further condition that the licensee will pay:

(a) any fine, penalty or other obligation to the city within thirty days of its imposition, and

(b) any final judgment recovered by any person dealing or trading with such licensee for the loss or conversion of fabrics, within thirty days from the entry and filing of such judgment.

§ 20-297.5 Persons covered by license. A license issued under this subchapter is valid only with respect to the licensee named on the license and those employees and independent contractors designated on the licensee's application pursuant to this subchapter.

§ 20-297.6 Vehicle identification required. Each vehicle used for delivering laundry shall display, in letters no less than two inches in height, the licensee's name, business address and business telephone number and the license number assigned by the commissioner.

§ 20-297.7 Participation in stipulated parking fine program. a. No person who is required to obtain a license under this subchapter may participate in any city

program for the abatement of fines for parking violations unless such person has a valid license under this subchapter.

b. No parking fine may be reduced with respect to a vehicle that is required to be registered and inspected under section 20-297.3 unless such vehicle has been duly registered and inspected.

§ 8. The commissioner of consumer affairs shall promulgate rules setting (1) minimum standards of cleanliness for fabrics, laundries and laundry delivery vehicles and (2) mandatory procedures for preventing the contamination of fabrics during handling, storage and delivery after laundering. Such commissioner may promulgate any additional rules and regulations he or she deems necessary to effectuate the purposes of this local law.

§ 9. This local law shall take effect 120 days after it shall have become a law, except that before such effective date the commissioner of consumer affairs may take any actions necessary for its implementation, including the promulgation of rules. Notwithstanding any provision of law to the contrary, a person shall not be penalized for operating a laundry without a license in violation of section 20-292 of the administrative code of the city of New York, as amended by section three of this local law, or for delivering laundry without a license in violation of section 20-297.2 of the administrative code of the city of New York, as added by section seven of this local law, where (a) no license was required for the operation of such laundry or laundry delivery service prior to the effective date of this local law, (b) such person was operating such laundry or was providing such laundry delivery service on the date that this local law became a law, (c) such person submitted an application in good faith for a required license within 180 days after the date this local law became a law, and (d) the commissioner of consumer affairs has not yet approved or denied such application.

Referred to the Committee on Consumer Affairs.

Int. No. 698

By Council Members Treyger, Eugene, Koo and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to designating communications havens for emergency events.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-114 to read as follows:

§ 30-114 Communications havens. The commissioner, in consultation with the commissioner of information technology and telecommunications, as well as any other relevant agency head, shall designate communications havens throughout the city. Such communication havens shall be spaces in which publicly accessible telecommunications equipment, such as electronic device charging stations and wireless or landline communications devices and connections, shall be made

available immediately following emergency events that impair the communications infrastructure of nearby communities. Communication haven locations shall be community based and selected by considering criteria such as a risk or history of emergency events, vulnerability to prolonged utility outages, ease of access during an emergency and the geographic isolation of the community. Such locations shall be indicated by publicly posted signage and inclusion in relevant public awareness materials.

§ 2. This local law shall take effect ninety days after its enactment into law.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 594

Resolution calling upon the United States Congress to pass and the President to sign H.R. 592, also known as the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make houses of worship eligible, as “private nonprofit facilities,” to receive financial assistance from the federal government for the repair, restoration, and replacement of facilities damaged or destroyed by major disasters, including Superstorm Sandy.

By Council Members Treyger, Eugene, Koo, Richards, Rose and Koslowitz.

Whereas, Superstorm Sandy hit New York on October 29, 2012 and its impacts were unprecedented in the city’s history; and

Whereas, Superstorm Sandy tragically took the lives of 43 New Yorkers and caused \$19 billion in damages and lost economic activity; and

Whereas, In the aftermath of Superstorm Sandy, houses of worship exceeded their role as social service providers by supplementing the emergency response and recovery efforts of government agencies; and

Whereas, Houses of worship participated in emergency response and recovery efforts by making available basic supplies such as clothing, food and water, by serving as distribution points for supplies and information, by coordinating volunteers and organizing local aid work, and through other initiatives; and

Whereas, In some instances, houses of worship were in the best position to provide immediate aid to victims of Superstorm Sandy, as they had long-standing relationships with the communities they served, and they were able to establish a presence as centers of aid before government agencies could; and

Whereas, Many houses of worship sustained severe physical and economic damages due to Superstorm Sandy; and

Whereas, Some of the most common impacts that Superstorm Sandy had on houses of worship include structural damage to their buildings, flood damage to the interiors of their spaces, damage to their assets, supplies and inventory, and disruption of their operations; and

Whereas, Houses of worship across New York City’s many faiths and denominations were among those that sustained damage; and

Whereas, Private nonprofit facilities damaged by Superstorm Sandy have received aid in the form of government grants and funding to support their recovery; and

Whereas, Due to federal restrictions on providing direct government aid to religious organizations, houses of worship have generally had to rely upon other sources of funding and support to recover from Sandy-related damages and losses; and

Whereas, Houses of worship are still struggling to recover from the impacts of Superstorm Sandy; and

Whereas, The Federal Emergency Management Agency's (FEMA) Public Assistance program provides financial assistance for the repair of various types of private nonprofit organizations and facilities, including those in which citizens engage in a variety of educational, enrichment and social activities; and

Whereas, Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, FEMA's disaster relief program provides financial assistance to such private nonprofit facilities in the wake of natural disasters; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President to sign H.R. 592, also known as the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which would amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make houses of worship eligible, as "private nonprofit facilities," to receive financial assistance from the federal government for the repair, restoration, and replacement of facilities damaged or destroyed by major disasters, including Superstorm Sandy.

Referred to the Committee on Recovery and Resiliency.

Res. No. 595

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation providing for a five hundred dollar property tax rebate to eligible homeowners in the city of New York.

By Council Members Vacca, Treyger, Eugene, Gibson, Richards, Rose, Vallone, Koslowitz, Deutsch and Ulrich.

Whereas, In 2004, § 467-e of the New York State Real Property Tax Law was added to authorize the City of New York ("the City") to adopt and amend local laws granting a real property tax rebate of up to four hundred dollars (\$400) for certain eligible residential property for three fiscal years beginning with fiscal year 2004 and ending with fiscal year 2006; and

Whereas, The Council of the City of New York ("the Council") adopted Local Law Number 40 for the year 2004 ("2004 local legislation"), which implemented the provisions of § 467-e; and

Whereas, Homeowners eligible for the property tax rebate included those who 1) owned a class one property or a class two cooperative or condominium, 2) used such property as their primary residences, and 3) were not in arrears on their real

property taxes by more than twenty-five dollars (\$25) or an average of twenty-five dollars (\$25) per unit in a cooperative apartment building; and

Whereas, According to the Mayor's remarks at a public hearing regarding the 2004 local legislation, the purpose of the rebate was to offset the higher property taxes paid by homeowners as a result of an across-the-board eighteen and a half percent (18.5%) property tax rate increase the City was forced to impose in fiscal year 2003 due to a serious fiscal crisis; and

Whereas, In 2007, the State amended § 467-e to authorize the City to extend the provision of the property tax rebate through fiscal year 2009; and

Whereas, The Council adopted Local Law Number 40 for the year 2007 ("2007 local legislation"), which extended the property tax rebate as authorized by the State; and

Whereas, According to the State Legislature's Memorandum of Support for the 2007 State legislation authorizing an extension of the credit, the purpose of extending the credit was to continue to put money "back into the pockets of hardworking City homeowners who sacrificed the most when the City was in need"; and

Whereas, By the time the property tax rebate extension was authorized in 2007, the City's property tax rates for class one and class two properties had risen an additional thirteen and eight-tenths percent (13.8%) and one and eight-tenths percent (1.8%), respectively, over the rates in fiscal year 2003; and

Whereas, Since the State last authorized the extension of the property tax rebate in 2007, the property tax rates in the City for class one properties have increased an additional eighteen and nine-tenths percent (18.9%), slightly more than what precipitated the original provision of the property tax rebate in 2004, and for class two properties tax rates have increased a more modest nine-tenths of a percent (0.9%); and

Whereas, Since the expiration of the last property tax rebate, homeowners in the City have continued to experience financial difficulties, in particular stemming from the mortgage crisis, the financial crisis, the Great Recession, and damage caused by Super Storm Sandy; and

Whereas, As a result of the ever-increasing property tax rates and series of fiscal crises over the last decade, the City's homeowners are in as much need of property tax relief now as they were in 2004 and 2007 when the State authorized the provision and extension of the property tax rebates; and

Whereas, Cost of living increases and inflation over the last eleven years justify the expansion of the property tax rebate to five hundred dollars (\$500) from the four hundred dollar (\$400) amount set in 2004; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation providing for a five hundred dollar property tax rebate to eligible homeowners in the city of New York.

Referred to the Committee on Finance.

Int. No. 699

By Council Members Weprin, Chin and Greenfield.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to authorizing the construction and regulation of licensed hostels.

Be it enacted by the Council as follows:

Section 1. Chapter 64 of the New York city charter is amended by adding a new section 2205 to read as follows:

§ 2205. *Office for licensed hostels. a. Terms used herein shall have the meanings set forth in chapter 1 of title 26 of the administrative code.*

b. There shall be within the department of consumer affairs an independent office for licensed hostels to be headed by a director appointed by the commissioner of the department.

c. The office shall be responsible for regulating the establishment and operation of licensed hostels in accordance with chapter 1 of title 26 of the administrative code. In regulating such businesses the office shall have the powers and duties conferred by this section and such other powers and duties as are conferred by law. The powers and duties of the office shall include but not be limited to the following:

1. To establish standards for the issuance, denial, suspension and revocation of licenses necessary for the use and occupancy of licensed hostels, the operation of hostel businesses and the fitness of licensed hostel operators and to issue, deny, suspend and revoke such licenses;

2. To investigate any matter within its jurisdiction and to have full power to compel the attendance, examine and take testimony under oath of such persons as it may deem necessary in relation to such investigation, and to require the production of books, accounts, papers and other evidence relevant to such investigation;

3. To establish standards for maintenance of licensed hostels, services provided by such hostels and the safety and operation of such hostels;

4. To conduct studies of, or investigations into, any matter within its jurisdiction in order to assist the city in formulating policies relating to hostels;

5. To create and disseminate materials on any matter within its jurisdiction in order to advise or educate such businesses and members of the public regarding such matters;

6. To adopt rules necessary or appropriate to carry out the powers and duties conferred on it by law; and

7. To establish reasonable fees (i) to recover costs for issuance and renewal of licenses including but not limited to costs of processing applications, conducting investigations of applicants and enforcing the licensing provisions and (ii) to recover costs for inspections of licensed hostels by the office or other city agencies.

§ 2. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 1 to read as follows:

CHAPTER 1
LICENSED HOSTELS

- § 26-101 Definitions.
- § 26-102 Applicability.
- § 26-103 Licensed hostel operator.
- § 26-104 Occupancy.
- § 26-105 Licensed hostel services.
- § 26-106 Maintenance standards for hostel units.
- § 26-107 Minimum standards for safety and fire protection.
- § 26-108 Inspections.
- § 26-109 Records.
- § 26-110 License suspension or revocation.
- § 26-111 Civil penalties.
- § 26-112 Construction.
- § 26-113 Use of term “licensed hostel.”

§ 26-101 Definitions. As used in this chapter:

“Bunk bed combination” means a combination of not more than two single beds constructed one above the other.

“Dwelling unit” means a dwelling unit as defined in the housing maintenance code.

“Hostel” means a class B multiple dwelling, as defined in the housing maintenance code, providing lodging, food and other services to tourists, travelers and others requiring temporary accommodation in which more than 70 percent of the dwelling units are hostel units.

“Hostel unit” means a rooming unit designed to provide sleeping space for not fewer than four but no more than eight individuals, with rent charged separately for each individual sleeping space.

“Licensed hostel” means a hostel that has been licensed pursuant to this chapter.

“Licensed hostel operator” means an operator of a licensed hostel.

“Multiple dwelling” means a multiple dwelling as defined in the housing maintenance code.

“Office” means the office for licensed hostels within the department of consumer affairs.

“Operator” means a person, corporation or other business entity that owns a hostel or that is engaged in the business of operating a hostel.

“Private room” means a dwelling unit designed for occupancy by up to four individuals and which is offered for rent as a unit.

§ 26-102 Applicability. On and after the effective date of this chapter it shall be lawful to construct a new building for occupancy or use as a hostel or to alter or convert a building in existence on the effective date of this chapter for occupancy or use as a hostel, subject to the following conditions:

1. Multiple dwellings in existence on the effective date of this chapter shall not be converted for use as hostels, whether such conversion is implemented with or without physical alteration.

2. Notwithstanding any inconsistent provision of title 28 of the administrative code, a building in existence on the effective date of this chapter converted for occupancy or use as a hostel shall comply with the New York city building code for newly constructed buildings. The option to alter an existing building in accordance with provisions of the 1968 building code and the option to convert buildings erected prior to December 6, 1969 to multiple dwellings in accordance with applicable provisions of the multiple dwelling law shall not apply to the conversion of buildings for use as licensed hostels.

3. It shall be unlawful to use or occupy a building as a licensed hostel without a license for such building issued by the office for licensed hostels in accordance with this chapter, section 2205 of the New York city charter and the rules of such office.

4. Construction documents, as defined in chapter 1 of title 28 of this code, for a hostel shall not be approved by the department of buildings until the office makes an initial determination relating to the fitness of the operator.

5. A certificate of occupancy for the use or occupancy of a building as a hostel shall not be issued until a license pursuant to this chapter is issued for such hostel. Such certificate shall expire by operation of law upon the expiration, suspension or revocation of such license.

§ 26-103 Licensed hostel operator. The application for a license for a hostel shall be submitted by the operator of such hostel. Such operator shall be subject to regulation by the office in accordance with this chapter, section 2205 of the New York city charter and the rules of the office. The office shall require that a new license be issued for a hostel upon a change in operator or upon a change in the control of a corporate operator.

§ 26-104 Occupancy. A licensed hostel shall comply with each of the following conditions:

1. A licensed hostel may contain private rooms but shall not contain apartments, as defined in the housing maintenance code, other than one apartment for a resident employee.

2. No individual may occupy a licensed hostel for more than 29 days in any 12 month period.

3. A licensed hostel shall contain 30 sleeping spaces or more.

§ 26-105 Licensed hostel services. A license shall not be issued or renewed for a hostel unless, in addition to sleeping accommodations, the hostel provides the following services for guests:

1. A restaurant, coffee shop or cafeteria located in the hostel.

2. Lockers for guests occupying hostel units to store personal belongings located in a central area in the hostel or in each hostel unit.

3. A desk at the main entrance of the hostel attended by hostel staff providing check-in, concierge, security and/or other services for guests. Such desk shall be staffed 24 hours a day, seven days a week.

4. A video security system.

5. One or more common lounge areas for guests.

§ 26-106 Maintenance standards for hostel units. The office shall prescribe minimum standards for the maintenance of hostel units, private rooms, sanitary facilities and common areas in hostels, which shall include but shall not be limited to:

- 1. Providing an adequate supply of clean linens and towels to guests.*
- 2. Maintaining the cleanliness of hostel units, private rooms, sanitary facilities and common areas.*
- 3. Storage of mattresses, linens, brooms, mops and other paraphernalia incidental to the occupancy and maintenance of the hostel.*
- 4. Provision of metal or hard, noncombustible refuse containers with self-closing lids to be located on every story for scrap and refuse of a combustible nature.*
- 5. Posting of maximum permitted occupancy on the interior of the entrance door to each private room and hostel unit.*

§ 26-107 Minimum standards for safety and fire protection. A license shall not be issued or renewed for a hostel unless, in addition to complying with the standards for safety and fire protection required for class B multiple dwellings prescribed by other provisions of law, such hostel complies with additional or stricter standards prescribed by the office. Such additional or stricter standards shall include, but shall not be limited to:

- 1. Maximum occupants per story. The number of persons occupying each story in a hostel shall not be greater than the number obtained by (i) dividing the smallest clear width of each required exit approved by the department of buildings by 22, (ii) rounding that result down to the nearest whole number, and (iii) multiplying that result by 22.*
- 2. Exit access. An unobstructed exit access path at least three feet wide shall be provided and maintained starting alongside at least one side of each bed or bunk bed combination to the door exiting from a hostel unit or private room.*
- 3. Spacing between beds and bunk bed combinations. No bed or bunk bed combination shall be placed within three feet of another bed or bunk bed combination located within the same hostel unit or private room, whether or not low partitions or dividers are provided.*
- 4. Low partitions or dividers. No partitions or cubicles shall enclose spaces within the sleeping rooms in a hostel, except that noncombustible, low partitions or dividers shall be permitted between sleeping spaces in hostel units provided they do not exceed a height of four feet.*
- 5. Interior finishes. No combustible wainscoting, molding or other facings shall be applied to walls, partitions or ceilings within hostel units or private rooms or within entrance halls or other public halls or stairs, except for flat baseboards ten inches or less in height.*
- 6. Stair construction. Stair stringers, handrails, soffits, fascias, railings, balustrades and newel posts shall be constructed of hard noncombustible material.*
- 7. Storage rooms. There shall be one or more completely enclosed compartments remote from any stairway for the storage of mattresses, linens, brooms, mops and other paraphernalia incidental to the occupancy and maintenance of the hostel. The partitions forming each such compartment shall be enclosed with fire barriers with doors thereto fire-rated in accordance with chapter 7 of the New York city building code. Each such compartment shall be ventilated in accordance*

with the New York city mechanical code. Any space which is used for the storage of mattresses, in addition to conforming to the other provisions of this section, shall be provided with a window ten square feet or more in area, and such window shall open upon a street or yard.

8. *Fire alarms.* The activation of a sprinkler water flow alarm shall cause annunciation of audible and visual notification appliances throughout the hostel. The activation of a sprinkler tamper switch shall cause a notification to the central monitoring station and fire department.

9. *Beds.* All beds shall be metal or other noncombustible materials. No bed shall be placed or constructed above another bed except that bunk bed combinations are permitted.

10. *Electrical receptacles.* At least one duplex 120-volt electrical receptacle per sleeping space shall be provided within a hostel unit or private room. Where sanitary facilities are located within a hostel unit or private room, such required electrical receptacles shall be in addition to the number of electrical receptacles required in such sanitary facilities by the New York city electrical code.

11. *Lavatories.* Within a hostel unit or private room, lavatories shall be permitted to be located outside of a toilet room for the convenience of guests, provided however that any such lavatories shall not reduce the minimum number of required lavatories in toilet rooms.

12. *Dimensions.* Within a room used for sleeping purposes in a hostel unit, there shall be a minimum of 70 square feet of floor space for each bed therein. For the purposes of this subdivision each bed of a bunk bed combination shall be counted separately. Such required minimum floor space shall be exclusive of closets, bathrooms and private halls and other similar spaces. No private room or hostel unit shall be less than six feet in its least dimension.

§ 26-108 *Inspections.* A licensed hostel shall be inspected by the office at intervals of three months or less in accordance with the rules of the office. Such inspections may be performed by employees of the office or by employees of other agencies designated by the office. In addition, staff of the hostel shall perform inspections of common areas of the hostel at least once every three hours in accordance with the rules of the office.

§ 26-109 *Records.* The office shall prescribe minimum record keeping and reporting requirements for licensed hostel operators and shall require that such records and/or reports be made available for inspection by employees of the office or of other agencies designated by the office.

§ 26-110 *License suspension or revocation.* 1. The office may revoke, suspend or refuse to renew a license issued pursuant to this chapter (i) for violation of any provision of this chapter or of rules promulgated by the office, (ii) based on any of the grounds for which the office may refuse to issue a license or (iii) for violations of other applicable laws relating to safety and fire protection of buildings or the fitness of the hostel operator.

2. The office shall determine by rule a process for revoking, suspending or refusing to renew a license issued pursuant to this chapter. Such process shall afford the operator an opportunity to appeal the violation or suspension by referring the matter for a hearing before the office of administrative trials and hearings. However, where public safety may be imminently jeopardized by the continued operation of the

hostel, the license may be suspended immediately, subject to the right of the operator to an expedited suspension hearing.

§ 26-111 Civil penalties. Civil penalties not exceeding 750 dollars for each violation may be imposed on the operator for each violation of any provision of this chapter or of rules promulgated by the office, provided that such civil penalties shall be indexed to inflation in a manner to be determined by the rules of such office. Such civil penalties may be imposed in proceedings before the environmental control board. Notices of violation returnable to such board may be served by employees of the office for licensed hostels or by employees of other city agencies designated by such office. The office may refuse to renew a license pending payment of civil penalties imposed by the environmental control board.

§ 26-112 Construction. The provisions of this chapter shall not be construed to prohibit the lawful occupancy or use of any class B multiple dwelling in accordance with any other provisions of law authorizing such occupancy or use or to require that a license be obtained for such lawful occupancy or use.

§ 26-113 Use of term "licensed hostel." It shall be unlawful for any person, corporation or other business entity to use the term "licensed hostel" in reference to any sleeping accommodation or to hold out any sleeping accommodation as licensed pursuant to this chapter unless such accommodation has a license issued by the office pursuant to this chapter. A violation of this section shall be punishable by a civil penalty of 250 dollars or imprisonment for up to 30 days, or both, provided that such civil penalties shall be indexed to inflation in a manner to be determined by the rules of such office. Such civil penalties may be imposed in proceedings before the environmental control board. Notices of violation returnable to such board may be served by employees of the office for licensed hostels or by employees of other city agencies designated by such office. The office may refuse to provide or renew a license pending payment of civil penalties imposed by the environmental control board.

§ 3. Paragraph 9 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended to read as follows:

9. A class B multiple dwelling is a multiple dwelling which is occupied, as a rule, transiently, as the more or less temporary abode of individuals or families who are lodged with or without meals. This class includes hotels, *licensed hostels*, lodging houses, rooming houses, boarding houses, boarding schools, furnished room houses, lodgings, club houses, and college and school dormitories.

§ 4. Subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new paragraph 49 to read as follows:

49. A "*licensed hostel*" is a *licensed hostel* as defined in chapter 1 of title 26 of the administrative code of the city of New York.

§ 5. Section 27-2077 of the administrative code of the city of New York is amended to read as follows:

§ 27-2077 Conversions to rooming units prohibited. a. No rooming unit which was not classified and recorded as such in the department prior to May fifteenth, nineteen hundred fifty-four or converted to such use prior to April thirtieth, nineteen hundred fifty-six, shall be created in any dwelling, whether such conversion is effected with or without physical alterations, except for rooming units:

(1) Owned or controlled and operated by a hospital for occupancy by nurses and interns on its staff; [or]

(2) Owned and operated without profit by an educational, religious or charitable institution as a residence for the aged, or for working girls or women, or for working boys or men, or for delinquent, dependent or neglected children, or for students attending a school or college; [or,]

(3) approved by the commissioner of the department and created with the substantial assistance of loans, grants or subsidies from any federal, state or local agency or instrumentality; [or]

(4) approved by the commissioner of the department and owned, operated or used by any federal, state or local agency or instrumentality or by a non-profit organization; *or*

(5) *Owned and operated as a licensed hostel pursuant to chapter 1 of title 26 of the administrative code of the city of New York.*

§ 6. Item 7, residential classification, of Table 403.1 of the New York city plumbing code, as added by local law number 141 for the year 2013, is amended by adding a new row for required plumbing fixtures in licensed hostels following the row for hotels, motels and boarding houses, to read as follows:

NO.	CLASSIFICATION	OCCUPANCY ¹	DESCRIPTION	WATER CLOSETS URINALS (SEE SECTION 419.2)		LAVATORIES	BATHTUBS/SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410.1)	OTHER
				MALE FEMALE	MALE FEMALE				
7	Residential	R-1 ^m	Licensed hostels	1 per 6	1 per 6	1 per 6	1 per 100	1 service sink	

§ 7. Section 310.1.1 of the New York city building code is amended by adding a new item 4 to read as follows:

4. *Licensed hostels authorized pursuant to Chapter 1 of Title 26 of the Administrative Code.*

§ 8. Exception 2 of section 1011.1 of the New York city building code, as amended by local law number 141 for the year 2013 is amended to read as follows:

2. Exit signs are not required in occupancies in Group U and individual sleeping units or dwelling units in Group I-1 or R. However, in a congregate living unit where the occupancy of such unit exceeds four people *and in hostel units in licensed hostels, as such terms are defined in chapter 1 of Title 26 of the administrative code*, exit signs shall be provided.

§ 9. This local law shall take effect 180 days after enactment, except that the commissioner of consumer affairs, the commissioner of buildings and the commissioner of housing preservation and development may take such measures as

February 26, 2015

658

are necessary for the implementation of this local law, including the promulgating of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 700

By Council Members Williams, Garodnick, Espinal, Barron, Chin, Cumbo, Gibson, Johnson, King, Koslowitz, Lander, Levin and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to required notifications by persons negotiating tenant buyout offers

Be it enacted by the Council as follows:

Section 1. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended by amending subparagraph f, relettering subparagraph g as subparagraph h, and adding a new subparagraph g, to read as follows:

f. removing the door at the entrance to an occupied dwelling unit; removing, plugging or otherwise rendering the lock on such entrance door inoperable; or changing the lock on such entrance door without supplying a key to the new lock to the persons lawfully entitled to occupancy of such dwelling unit; [or]

g. making or causing another to make a buyout offer for the purpose of inducing or persuading a tenant to vacate a dwelling that the tenant has a legal right to possess, unless the person making the buyout offer first notifies the tenant:

(1) that the tenant has a right to refuse any buyout offer made, and

(2) if the person making the buyout offer is someone other than the owner, that such person is an agent of the tenant's landlord; or

§ 2. This local law shall take effect 90 days after its enactment.

Referred to the Committee on Housing and Buildings.

Res. No. 596

Resolution calling upon the New York State Legislature to pass, and the Governor to approve, A.1585/S.1167, in relation to repealing vacancy decontrol.

By Council Members Williams, Chin, Gibson, Johnson, Lander, Richard and Rose.

Whereas, The serious housing emergency that has led to the enactment of the rent regulation laws continues to exist in New York City; and

Whereas, The latest Housing and Vacancy Survey conducted by the United States Bureau of the Census reveals a vacancy rate of only 3.12 percent in New York City; and

Whereas, New York State's rent regulation programs, known as rent control and rent stabilization, cover about 1 million apartments in New York City; and

Whereas, Rent-regulated housing represents most of the City's affordable housing; and

Whereas, Vacancy decontrol is the process by which a property owner removes a rent-regulated unit from the regulatory system when the permitted rent of the vacant unit increases above \$2,500 a month; and

Whereas, The New York City Rent Guidelines Board stated that about 133,173 rent-stabilized units have been deregulated due to vacancy decontrol since 1994; and

Whereas, This practice has greatly exacerbated the City's severe lack of affordable housing by taking thousands of affordable units off the market; and

Whereas, The lack of affordable housing creates a financial hardship because many households are paying at or over 30% of their income towards rent; and

Whereas, This financial hardship has forced many tenants to relocate, live in substandard housing conditions or become unable to keep up with living expenses; and

Whereas, Assembly Member Linda Rosenthal and State Senator Andrea Stewart-Cousins introduced A.1585/ S.1167 to repeal vacancy decontrol; and

Whereas, A.1585, the companion bill to S.1167, passed the New York State Assembly on May 13, 2014, and is currently pending at the New York State Senate; and

Whereas, These bills are necessary to preserve New York City's affordable housing for future generations; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to approve, A.1585/S.1167, in relation to repealing vacancy decontrol.

Referred to the Committee on Housing and Buildings.

Res. No. 597

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2015.

By Council Members Williams, Johnson, Rosenthal, Chin, Eugene, Lander, Rodriguez, Cornegy, Garodnick, Van Bramer, Koslowitz, Miller, Gibson, Kallos and Levin.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and

control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after April 1, 2015, and that an acute shortage of dwellings continues to exist and will continue to exist on and after April 1, 2015, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2015 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

Referred to the Committee on Housing and Buildings.

Res. No. 598

Resolution calling upon the New York State legislature to pass and the Governor to sign legislation expunging all misdemeanor convictions for low-level marijuana related offenses that occurred in New York City from 2000 through 2014.

By Council Members Wills, Barron, Johnson, Reynoso, Richards, Torres and Williams.

Whereas, In 1994, the New York Police Department (“NYPD”) introduced “Broken Windows” policing in New York City; and

Whereas, As part of “Broken Windows” policing, it is alleged that NYPD officers prompted New Yorkers during stop-and-frisk encounters to empty their pockets; and

Whereas, Often these stops lead to a misdemeanor marijuana possession charge when marijuana comes into public view; and

Whereas, In November 2014, Mayor de Blasio and Police Commissioner Bratton announced a new policy whereby individuals found in public possession of less than 25 grams of marijuana that is not burning will be issued a court summons instead of being arrested on a misdemeanor charge; and

Whereas, Mayor de Blasio characterized the policy change by saying it would direct police resources “towards more serious crime” and not waste “officer time processing unnecessary arrests;” and

Whereas, Black and Latino individuals make up about 54% of New York City’s population; and

Whereas, 86% of New Yorkers who were arrested for marijuana possession in the first eight months of 2014 were black or Latino; and

Whereas, Research shows that communities of color disproportionately battle the harsh impacts of low-level marijuana charges for the rest of their lives; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign legislation expunging all misdemeanor convictions for low-level marijuana related offenses that occurred in New York City from 2000 through 2014.

Referred to the Committee on Public Safety.

Res. No. 599

Resolution calling on the United States Department of Health and Human Services to allocate funding to any hospitals, whether public or private, located in close proximity to the five international airports where all travelers flying into the United States from West Africa must enter.

By Council Members Wills, Cabrera, Eugene, Johnson, Kallos, Levin, Rose and Williams.

Whereas, Ebola is a virus that was first discovered in 1976 and currently has no cure; and

Whereas, Ebola spreads through direct contact with the bodily fluids of an infected and symptomatic person; and

Whereas, Symptoms usually begin about eight to ten days after exposure to the virus, but can appear as late as 21 days after exposure, according to the Centers for Disease Control and Prevention; and

Whereas, The most recent outbreak is believed to have started in a village in Guinea in December 2013; and

Whereas, Since then, Ebola has sickened more than 21,000 people in eight countries and killed 8,468, according to data released by the World Health Organization on January 16, 2015, making this the biggest outbreak on record; and

Whereas, Although the World Health Organization declared the outbreaks in Nigeria and Senegal were over and a downward trend in new Ebola cases in general by mid-November 2014, vigilance must continue to contain all outbreaks; and

Whereas, All travelers returning to the United States from Guinea, Sierra Leone, Liberia and Mali are routed through one of five airports: Kennedy International, Newark Liberty International, Washington Dulles International, O'Hare International in Chicago, and Hartsfield-Jackson International in Atlanta; and

Whereas, These five airports are screening passengers for Ebola symptoms; and

Whereas, Additionally, New York, New Jersey and Illinois implemented quarantines for high risk individuals returning from West Africa; and

Whereas, From August to November 2014, ten Ebola patients were treated in United States health care facilities; and

Whereas, Emory University Hospital in Atlanta, which treated four patients, requested funding from Congress for full reimbursement for Ebola cases and has stated that one case can cost up to \$1 million; and

Whereas, Fighting Ebola involves not only the cost of care, but also the cost of lost beds to create an isolation unit, the procurement of Personal Protective Equipment (PPE) with full body coverage, staff training and drills, and monitoring those who have potentially come into contact with the Ebola virus; and

Whereas, Hospitals also report lost revenue from potential patients avoiding the facility and health care staff calling out of work due to fear of contamination and stigma; and

Whereas, As of late November, New York City alone had spent over \$21 million tackling the Ebola crisis, a number that has since risen significantly; and

Whereas, Nearly \$2.8 billion in Ebola funding has been allocated by Congress to the federal Department of Health and Human Services (HHS) and on January 15, 2015, the HHS Secretary issued a spending plan for this funding with \$576 million designated for hospital preparedness; and

Whereas, It is unclear how much of the \$576 million designated for hospital preparedness will be allocated to New York; and

Whereas, Senator Chuck Schumer, as well as hospital advocacy groups in New York, have called for a significant portion to be allocated to New York's hospitals; and

Whereas, Until all outbreaks are contained, the five cities receiving passengers from West Africa should be given the resources to handle any new Ebola patients that arrive; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Department of Health and Human Services to allocate funding to any hospitals, whether public or private, located in close proximity to the five international airports where all travelers flying into the United States from West Africa must enter.

Referred to the Committee on Health.

Preconsidered L.U. No. 179

By Council Members Ferreras:

**Schervier Apartments, Block 5750, Lot 500, Bronx, Community District No.8,
Council District No. 11.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 180

By Council Member Greenfield:

Application No. C 150153 HUX submitted by New York City Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an amendment to the Melrose Commons Urban Renewal Plan, Borough of the Bronx, Community Board 3, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 181

By Council Member Greenfield:

Application No. C 150152 ZMX submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a and 6c, changing an existing R7-2 District to an R8 and establishing a C1-4 District within the proposed R8 District and within an existing R7-2 District, in the area of Melrose Avenue and East 163rd Street, Borough of the Bronx, Community Board 3, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 182

By Council Member Greenfield:

Application No. C 150154 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New

February 26, 2015

664

York City Charter for an Urban Development Action Area designation and Project for property located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue, Borough of the Bronx, and for the disposition of such property, Community Board 3, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 183

By Council Member Greenfield:

Application No. C 120323 MMX submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving Melrose Crescent, East 162nd Street, East 163rd Street, and establishment of a park, Borough of the Bronx, Community Board 3, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 184

By Council Member Greenfield:

Application No. C 150126 HAQ submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an Urban Development Action Area designation and Project for property located at 54-24 101st Street, Borough of Queens, and for the disposition of such property, Community Board 4, Council District 21.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 185

By Council Member Greenfield:

Application No. C 150125 ZMQ submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and

201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10b, changing an R6B District to an R6 District, in the area of Lewis Avenue and 101st Street, Borough of Queens, Community Board 4, Council District 21.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

ANNOUNCEMENTS:

Friday, February 27, 2015

Committee on **HOUSING AND BUILDINGS****10:00 A.M.**

Int 462 - By Council Members Vacca, Barron, Chin, Gentile, Gibson, King, Koo, Mendez, Koslowitz, Rose, Vallone, Cohen, Rodriguez, Rosenthal, Van Bramer, Kallos, Mealy, Palma, Arroyo, Johnson, Richards, Cornegy, Lancman, Dromm, Greenfield, Espinal, Treyger, Cumbo, Wills, Constantinides, Deutsch, Cabrera, Weprin, Levin, Garodnick, Menchaca, Ulrich and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of an emergency repair program for elevators.

Committee Room – City HallJumaane D. Williams, Chairperson

Committee on **ECONOMIC DEVELOPMENT** jointly with the

Committee on **WATERFRONTS****10:00 A.M.**

Oversight - Examining the Use of Mitigation Banking for Waterfront Restoration

Council Chambers – City HallDaniel Garodnick, Chairperson

..... Deborah Rose, Chairperson

Committee on **ENVIRONMENTAL PROTECTION****10:00 A.M.**

Off-site Hearing - Site-Sourced and Stored Renewable Energy Conference

Location: CUNY Advanced Science Research Center

Steinman Hall, First Floor

85 Saint Nicholas Terrace

New York, NY 10031..... Donovan Richards, Jr., Chairperson

★ Note Topic Addition

Committee on **CIVIL SERVICE AND LABOR** jointly with the
Committee on **GOVERNMENTAL OPERATIONS****10:30 A.M.**

Oversight – Examining the Civil Service System Part II

★ Int 664 - By Council Members Miller, Kallos, Gibson and Richards **A Local Law** to amend the New York city charter in relation to using a machine readable format for the department of citywide administrative services’ quarterly provisional employee report.

Committee Room – 250 Broadway, 14th Floor

.....I. Daneek Miller, Chairperson
..... Ben Kallos, Chairperson

Committee on **GENERAL WELFARE**..... **1:00 P.M.**

Oversight - Interagency Coordination Between DHS and ACS to Protect Homeless Children

Committee Room – City Hall Stephen Levin, Chairperson

Committee on **IMMIGRATION****1:00 P.M.**

Oversight - Labor Trafficking in the Domestic Worker Industry- Resources for Victims in New York City

Committee Room – 250 Broadway, 14th Floor

..... Carlos Menchaca, Chairperson

Committee on **PARKS AND RECREATION**. **1:00 P.M.**

Int 558 - By Council Members Levine, Chin, Constantinides, Gentile, Gibson, Lander, Mendez, Richards, Cohen, Vacca, Rodriguez and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to an annual report on compliance with the Americans with disabilities act by the department of parks and recreation.

Committee Room – 250 Broadway, 16th Floor Mark Levine, Chairperson

Monday, March 2, 2015

Committee on **HOUSING AND BUILDINGS****10:00 A.M.**

Int 685 - By Council Members Johnson, Williams and Rosenthal - **A Local Law** to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws.

Res 597 - By Council Members Williams, Johnson and Rosenthal - **Resolution** determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2015.

Council Chambers – City HallJumaane D. Williams, Chairperson

Committee on **TECHNOLOGY**.....**10:00 A.M.**

Oversight - Notify NYC and Notification Technologies

Committee Room – 250 Broadway, 16th Floor James Vacca, Chairperson

Tuesday, March 3, 2015

★ Note Location Change

Committee on **PUBLIC SAFETY**.....**10:00 A.M.**

Oversight – Examining Community Policing in New York City

★ Council Chambers – City Hall Vanessa L. Gibson, Chairperson

★ Note Deferred Topic and Location Change

Committee on **HEALTH** jointly with the

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES** .. **10:00 A.M.**

Oversight – Health Care Delivery in New York City Jails: Examining Quality of Care and Access

Int 440 - By Council Members Johnson, Arroyo, Barron, Chin, Dromm, Espinal, Koo, Levin, Mendez, Miller, Richards, Rodriguez, Rosenthal, Crowley, Cohen and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to health services in city correctional facilities.

~~★ **Int 643** – By Council Members Crowley, Laneman, Arroyo, Johnson, Koo, Richards, Rosenthal and Wills - **A Local Law** to amend the administrative code of the city of New York in relation to requiring the department of correction to provide a monthly report regarding the number of inmates who are on a waiting list for housing in restrictive housing and clinical alternative to punitive segregation units.~~

★ Committee Room – 250 Broadway, 16th Floor Corey Johnson, Chairperson

..... Elizabeth Crowley, Chairperson

Committee on **GOVERNMENTAL OPERATIONS**..... **10:00 A.M.**

Int 536 - By Council Members Kallos, Chin, Constantinides and Johnson - **A Local Law** to amend the New York city charter, in relation to contemporaneous registration and absentee ballot application.

Int 659 - By Council Members Kallos, Cabrera, Eugene, Gentile, Gibson, King and Wills - **A Local Law** to amend the New York city charter, in relation to allowing absentee voters to track the status of their absentee application and ballot.

Committee Room – 250 Broadway, 14th Floor Ben Kallos, Chairperson

Committee on **EDUCATION**1:00 P.M.

Oversight – Overcrowding in NYC Public Schools

Res 563 - By Council Members Dromm, Chin, Johnson and Mendez - **Resolution** calling upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.

Council Chambers – City Hall Daniel Dromm, Chairperson

Committee on **TRANSPORTATION**1:00 P.M.

Oversight – Trucks in New York City – How does truck traffic impact the safety of pedestrian and cyclists?

Int 315 - By Council Members Vallone, Chin, Cohen, Gentile, Gibson, Koo, Reynoso, Rose, Vacca, Garodnick, Maisel, Constantinides, Rosenthal, Menchaca and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to truck route compliance studies and signage.

Int 641 - By Council Members Chin, Rodriguez, Van Bramer, Arroyo, Cohen, Constantinides, Eugene, Gibson, Johnson, Koo, Rose and Vallone - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring a comprehensive study regarding pedestrian and bicyclist safety on truck routes.

Committee Room – 250 Broadway, 14th Floor

..... Ydanis Rodriguez, Chairperson

Committee on **CIVIL RIGHTS**..... 1:00 P.M.

Oversight – Effective Enforcement of the City’s Human Rights Law

Int 421 - By Council Members Mealy, Rodriguez and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to the powers and duties of the commission on human rights.

Int 689 - By Council Members Lander, Garodnick and Mealy - **A Local Law** In relation to establishing a housing discrimination testing program.

Int 690 - By Council Member Mealy - **A Local Law** In relation to establishing an employment discrimination testing program.

Committee Room – 250 Broadway, 16th Floor Darlene Mealy, Chairperson

New York City Council Fiscal Year 2016 Preliminary Budget,
Mayor's FY '15 Preliminary Management Report and
Agency Oversight Hearings

Wednesday, March 4, 2015

10:00 a.m. Finance Committee – Council Chambers – City Hall
 10:00 a.m. Office of Management and Budget

- ◆ Capital Budget
- ◆ Expense Budget
- ◆ Revenue Budget

12:00 p.m. Department of Finance
 1:30 p.m. Department of Design and Construction
 2:00 p.m. Comptroller
 2:30 p.m. Independent Budget Office
 2:45 p.m. Public

Thursday, March 5, 2015

★ Note Time Changes

10:00 a.m. Transportation Committee – Council Chambers – City Hall

- ★ 10:00 a.m. Department of Transportation
- ★ 11:30 a.m. MTA/NYC Transit
- ★ 12:30 p.m. Taxi and Limousine Commission
- 1:15 p.m. Public

Friday, March 6, 2015

10:00 a.m. Higher Education Committee – Council Chambers – City Hall
 10:00 a.m. City University of New York
 11:30 a.m. Public

**11:00 a.m. Consumer Affairs Committee – Committee Room –
 City Hall**
 11:00 a.m. Department of Consumer Affairs
 12:00 p.m. Public

Monday, March 9, 2015

Subcommittee on **ZONING & FRANCHISES****9:30 A.M.**

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor Mark Weprin, Chairperson

10:00 a.m. Parks & Recreation Committee – Council Chambers – City Hall

10:00 a.m. Department of Parks & Recreation

1:00 p.m. Public

Subcommittee **ON LANDMARKS, PUBLIC SITING & MARITIME USES****11:00 A.M.**

SEE LAND USE CALENDAR

Committee Room – 250 Broadway, 16th Floor Peter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS** **12:00 P.M.**

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor Inez Dickens, Chairperson

Tuesday, March 10, 2015

10:00 a.m. Housing and Buildings Committee – Council Chambers – City Hall

10:00 a.m. Department of Housing Preservation and Development

12:00 p.m. Department of Buildings

12:45 p.m. Public

Committee on **LAND USE**.....**11:00 A.M.**

All items reported out of the subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall David G. Greenfield, Chairperson

12:00 p.m. Land Use Committee – Committee Room – City Hall
 12:00 p.m. Department of Information, Technology &
 Telecommunications (joint with the Technology Committee)
 1:00 p.m. Landmarks Preservation Commission
 2:00 p.m. Department of City Planning
 3:00 p.m. Public

Wednesday, March 11, 2015

★ Addition

Committee on **FINANCE****10:00 A.M.**

Int 681 - By Council Members Ferreras and Johnson (by request of the Mayor) – **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of the Meatpacking Area business improvement district.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City HallJulissa Ferreras, Chairperson

Stated Council Meeting..... *Ceremonial Tributes – 1:00 p.m.*

..... *Agenda – 1:30 p.m.*

**New York City Council Fiscal Year 2016 Preliminary Budget,
Mayor's FY '15 Preliminary Management Report and
Agency Oversight Hearings**

Wednesday, March 4, 2015

10:00 a.m.	Finance Committee – Council Chambers – City Hall
10:00 a.m.	Office of Management and Budget
	◆ Capital Budget
	◆ Expense Budget
	◆ Revenue Budget
12:00 p.m.	Department of Finance
1:30 p.m.	Department of Design and Construction
2:00 p.m.	Comptroller
2:30 p.m.	Independent Budget Office
2:45 p.m.	Public

Thursday, March 5, 2015

★ Note Time Changes

10:00 a.m.	Transportation Committee – Council Chambers – City Hall
★ 10:00 a.m.	Department of Transportation
★ 11:30 a.m.	MTA/NYC Transit
★ 12:30 p.m.	Taxi and Limousine Commission
1:15 p.m.	Public

Friday, March 6, 2015

10:00 a.m.	Higher Education Committee – Council Chambers – City Hall
10:00 a.m.	City University of New York
11:30 a.m.	Public
11:00 a.m.	Consumer Affairs Committee – Committee Room – City Hall
11:00 a.m.	Department of Consumer Affairs
12:00 p.m.	Public

Monday, March 9, 2015

10:00 a.m. Parks & Recreation Committee – Council Chambers – City Hall
 10:00 a.m. Department of Parks & Recreation
 1:00 p.m. Public

Tuesday, March 10, 2015

10:00 a.m. Housing and Buildings Committee – Council Chambers – City Hall
 10:00 a.m. Department of Housing Preservation and Development
 12:00 p.m. Department of Buildings
 12:45 p.m. Public

12:00 p.m. Land Use Committee – Committee Room – City Hall
 12:00 p.m. Department of Information, Technology & Telecommunications
 (joint with the Technology Committee)
 1:00 p.m. Landmarks Preservation Commission
 2:00 p.m. Department of City Planning
 3:00 p.m. Public

Thursday, March 12, 2015

10:00 a.m. Public Safety Committee – Council Chambers – City Hall
 10:00 a.m. Police Department
 12:00 p.m. District Attorneys/Special Narcotics Prosecutor
 2:00 p.m. Civilian Complaint Review Board
 3:00 p.m. Criminal Justice Coordinator
 3:45 p.m. Public

12:00 p.m. Standards and Ethics Committee – Committee Room – City Hall
 12:00 p.m. Conflicts of Interest Board
 12:45 p.m. Public

February 26, 2015

674

Friday, March 13, 2015

10:00 a.m. Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse & Disability Services Committee – Council Chambers – City Hall

10:00 a.m. Department of Health & Mental Hygiene

11:30 a.m. Public

1:00 p.m. Environmental Protection Committee – Committee Room – City Hall

1:00 p.m. Department of Environmental Protection

3:30 p.m. Public

Monday, March 16, 2015

10:00 a.m. Civil Rights Committee – Council Chambers – City Hall

10:00 a.m. Human Rights Commission

10:30 a.m. Equal Employment Practices Commission

11:00 a.m. Public

12:00 p.m. Oversight & Investigations Committee – Committee Room – City Hall

12:00 p.m. Department of Investigation

1:00 p.m. Public

Tuesday, March 17, 2015

10:00 a.m. General Welfare Committee – Council Chambers – City Hall

10:00 a.m. Administration for Children's Services joint with Women's Issues and Juvenile Justice Committees

12:30 p.m. Department of Homeless Services

2:30 p.m. Human Resources Administration / Department of Social Services

4:00 p.m. Public

Wednesday, March 18, 2015*★ Deferred*~~10:00 a.m. Youth Services Committee – Council Chambers – City Hall~~~~10:00 a.m. Department of Youth and Community Development (Joint with Community Development Committee)~~~~11:30 a.m. Public~~**Thursday, March 19, 2015***★ Addition***10:00 a.m. Governmental Operations Committee – Committee Room – City Hall**

10:00 a.m. Financial Information Services Agency

10:30 a.m. Office of Payroll Administration

11:15 a.m. Department of Records and Information Services

11:45 a.m. Tax Commission

12:15 p.m. Office of Administrative Trials and Hearings

12:45 p.m. Law Department

1:30 p.m. Department of Citywide Administrative Services

2:30 p.m. Board of Elections

3:30 p.m. Community Boards

4:00 p.m. Public

★ Deferred~~10:00 a.m. Education Committee – Council Chambers – City Hall~~~~10:00 a.m. Department of Education (Expense)~~~~1:00 p.m. Department of Education and School Construction Authority (Capital)~~~~3:00 p.m. Public~~**Friday, March 20, 2015****10:00 a.m. Cultural Affairs, Libraries & International Intergroup Relations Committee – Council Chambers – City Hall**

10:00 a.m. Libraries (joint with Subcommittee on Libraries)

11:30 a.m. Department of Cultural Affairs

1:00 p.m. Public

Monday, March 23, 2015

★ Note Location Change

10:00 a.m. Health Committee – ★ Committee Room – City Hall
10:00 a.m. Medical Examiner
11:00 a.m. Department of Health & Mental Hygiene
1:00 p.m. Health & Hospitals Corporation
2:30 p.m. Public

★ Note Location Change

10:00 a.m. Aging Committee – ★ Council Chambers – City Hall
10:00 a.m. Department for the Aging (joint with the Subcommittee on Senior Centers)
11:30 a.m. Public

Tuesday, March 24, 2015

10:00 a.m. Fire & Criminal Justice Services Committee – Council Chambers – City Hall
10:00 a.m. Fire/Emergency Medical Service
12:00 p.m. Department of Probation
12:30 p.m. Department of Correction
1:30 p.m. Office of Emergency Management
2:15 p.m. Public

Wednesday, March 25, 2015**★ Addition**

10:00 a.m. Education Committee – Council Chambers – City Hall
 10:00 a.m. Department of Education (Expense)
 1:00 p.m. Department of Education and School Construction Authority
 (Capital)
 3:00 p.m. Public

★ Note Location Change

10:00 a.m. Sanitation & Solid Waste Management Committee – ★ Committee
 Room – City Hall
 10:00 a.m. Department of Sanitation
 12:00 p.m. Business Integrity Commission
 12:30 p.m. Public

★ Deferred

~~10:00 a.m. Governmental Operations Committee – Committee Room – City
 Hall~~
~~10:00 a.m. Financial Information Services Agency~~
~~10:30 a.m. Office of Payroll Administration~~
~~11:15 a.m. Board of Elections~~
~~12:15 p.m. Law Department~~
~~1:00 p.m. Department of Citywide Administrative Services~~
~~2:00 p.m. Department of Records and Information Services~~
~~2:30 p.m. Tax Commission~~
~~3:00 p.m. Community Boards~~
~~3:30 p.m. Public~~

Thursday, March 26, 2015

**10:00 a.m. Economic Development Committee – Council Chambers – City
 Hall**

10:00 a.m. Department of Small Business Services and Economic
 Development Corporation (Capital) (joint with Small Business Committee)
 12:00 p.m. Public

February 26, 2015

678

10:00 a.m. Public Housing Committee – Committee Room – City Hall
10:00 a.m. NYC Housing Authority
12:00 p.m. Public

★ *Addition*

1:30 p.m. Youth Services Committee – Council Chambers – City Hall
1:30 p.m. Department of Youth and Community Development (Joint with
Community Development Committee)
3:00 p.m. Public

Friday, March 27, 2015

10:00 a.m. Courts and Legal Services Committee – Council Chambers – City
Hall
10:00 a.m. Legal Aid / Indigent Defense Services
11:00 a.m. Public

10:00 a.m. Contracts Committee – Committee Room – City Hall
10:00 a.m. Mayor’s Office of Contracts
11:00 a.m. Public

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the
Public Advocate (Ms. James) adjourned these proceedings to meet again for the
Stated Meeting on Wednesday, March 11, 2015.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council