

**THE COUNCIL**

---

*Minutes of the Proceedings for the*  
**STATED MEETING**  
*of*  
Tuesday, June 6, 2017, 1:56 p.m.

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

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent on June 6, 2017: Council Member Mealy (*but see Editor's Note re: Attendance below\**).

The Public Advocate (Ms. James) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings.

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 50 Council Members marked present at this Stated Meeting held on June 6, 2017 in the Council Chambers of City Hall, New York, N.Y.*

*\*Editor's Note re: Attendance for the Stated Meeting held on June 6, 2017 and the Recessed Meetings held on June 15 and 21, 2017: The Recessed Meeting held subsequently on June 15, 2017 and June 21, 2017 are considered to be the continuation and conclusion of this Stated Meeting which opened on June 6, 2017. For attendance purposes, therefore, any Council Member who was present at any one of these three Meetings will be considered present for all of these proceedings known collectively as the Stated Meeting of June 6, 2017. Although Council Member Mealy was absent at this Stated Meeting held on June 6, 2017, she was subsequently marked Present but Not Voting for these June 6th proceedings due to her presence at the later Recessed Meeting held on June 15, 2017.*

### INVOCATION

The Invocation was delivered by Rev. Council Member Fernando Cabrera.

Let's bow our heads.

Father, we come before you

acknowledging your supreme and glorious authority overall.

And before we pray for the agenda before us, Father

we pray for the five year old little boy

that is in the hospital right now from Council Member Gibson's district,

we pray for a miracle and we pray for a speedy recovery.

Father, we come in this most important day in the City Council

as we present this budget in response to the needs of the most vulnerable New Yorkers:

low income, at risk youth, immigrants, veterans, small business owners and others.

We will continue to address the issues of poverty and discrimination

by ensuring continuation of everyday, day to day operations,

preservation of infrastructure and essential services.

I ask you for a blessing upon our Speaker, Public Advocate, my colleagues in the City Council

who work so hard and are devoted to better serve this city

with whom you have targeted with your love.

At last, we pray for a special blessing upon all the staff

who spend countless hours toward making sure we have the earliest budget ready in 20 years.

This we pray in your mighty, majestic, marvelous and momentous name.

Amen.

### COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-515

**Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2018 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2018, pursuant to the City Charter.**

Honorable Melissa Mark-Viverito  
Speaker, New York City Council  
ATTN: Gary Altman  
City Hall  
New York, NY 10007

**Re: FY2018 Interest Rates Recommendations for:**

**Early Payment (Discount) of Real Estate Taxes; and  
Non-Payment of Real Estate Taxes**

Dear Speaker Mark-Viverito:

Pursuant to Section 11-224.1 of the New York City Administrative Code and Section 1519(a) of the New York City Charter, at its meeting on May 11, 2017, the NYC Banking Commission approved resolutions recommending to the City Council the following proposed FY2018 interest rates for the discount rate for early real estate tax payments and the rates for non-payment of real estate taxes:

- a. One-half of one percent (**0.5%**) discount per annum for early payment of real estate taxes;
- b. Six percent (**6.0%**) per annum for non-payment of taxes for real estate with an assessed value of not more than two hundred fifty thousand dollars (\$250,000.00), or not more than two hundred fifty thousand dollars (\$250,000.00) per residential unit for co-ops;
- c. Eighteen percent (**18.0%**) per annum for non-payment of taxes for real estate with an assessed value of more than two hundred fifty thousand dollars (\$250,000.00), or more than two hundred fifty thousand dollars (\$250,000.00) per residential unit for co-ops, or where irrespective of the assessed value, the parcel consists of vacant or unimproved land.

Attached are copies of the Banking Commission resolutions.

Sincerely,

Karen A. Cassidy  
Assistant Commissioner and Treasurer  
NYC Department of Finance

Attachment

Cc: Honorable Bill de Blasio  
Comptroller Scott M. Stringer  
Commissioner Jacques Jiha, Ph.D., NYC Department of Finance  
Deputy Commissioner Jeffrey Shear, NYC Department of Finance  
NYC Chief Administrative Officer Laura Anglin  
Assistant Comptroller for Economic Development Brian Cook

May 12, 2017

**ATTACHMENT: Banking Commission Resolution Nos. 1 to 3**

**RESOLUTION NO. 1 — FY2018 EARLY PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION**

**WHEREAS**, pursuant to Section 1519(a) of the City Charter, the Banking Commission is required to recommend to the City Council, no later than the thirteenth of May, the proposed discount rate for the early payment of real estate taxes, now, therefore be it

**RESOLVED**, the Banking Commission recommends to the City Council that the discount rate for the early payment of real estate taxes shall be one-half percent (0.5%) per annum for FY2018, and be it further

**RESOLVED**, that said discount rate is to be offered only for that portion of the real estate tax that is paid before the due date.

**RESOLUTION NO. 2 — FY2018 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED NO MORE THAN \$250,000**

**WHEREAS**, pursuant to the New York City Administrative Code §11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth day of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, and

**WHEREAS**, the proposed interest rate shall be at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

**WHEREAS**, the Banking Commission notes that as of May 11, 2017 said prime rate stands at four per cent (4.0%), as published by the Board of Governors of the Federal Reserve System, and

**WHEREAS**, it is in the City's best interest to encourage the prompt payment of real estate taxes by all taxpayers, now, therefore be it

**RESOLVED**, the Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of taxes for all properties with an assessed value of not more than two hundred fifty thousand dollars (\$250,000), or not more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, be set at six per cent (6.0%) per annum for FY2018.

**RESOLUTION NO. 3 — FY2018 LATE PROPERTY TAX PAYMENT INTEREST RATE RECOMMENDATION FOR PROPERTIES ASSESSED GREATER THAN \$250,000**

**WHEREAS**, pursuant to the New York City Administrative Code §11-224.1, the Banking Commission is required to recommend to the City Council, no later than the thirteenth day of May, the proposed interest rate to be charged for non-payment of taxes for properties with an assessed value of more than two hundred fifty thousand dollars (\$250,000), or more than two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, or where, irrespective of the assessed value, the parcel consists of vacant or unimproved land,

**WHEREAS**, said provisions of the Administrative Code require the Banking Commission to propose a rate at least six percentage points (6%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "prime rate"), and

**WHEREAS**, the Banking Commission notes for the record that as of May 11, 2017 said prime rate stands at four per cent (4.0%), as published by the Board of Governors of the Federal Reserve System, and

**WHEREAS**, it is in the City's best interest to encourage the prompt payment of real estate taxes by all large taxpayers, now, therefore be it

**RESOLVED**, the Banking Commission recommends to the City Council that the interest rate to be charged for non-payment of real estate taxes where the assessed value of a property is over two hundred fifty thousand dollars (\$250,000), or over two hundred fifty thousand dollars (\$250,000) per residential unit for co-ops, or where, irrespective of the assessed value, the parcel consists of vacant or unimproved land remains eighteen per cent (18%) per annum for FY2018.

Dated May 11, 2017

*The NYC Banking Commission unanimously approved Resolutions Nos. 1-3.*

Referred to the Committee on Finance.

Preconsidered M-516

**Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2017 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-6).**

June 6, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2017 to implement changes in the City's expense budget.

This modification (MN-6) will implement expense budget changes which were reflected in the City's Executive and Adopted Financial Plans. In addition, as requested by the City Council, this modification reallocates appropriations that were included in the FY 2017 Adopted Budget to fund City Council local initiatives.

Appendix A details State, Federal and other funds impacted by these changes.

Your approval of modification MN-6 is respectfully requested.

Sincerely,

Dean Fuliehan

**(For related material, please see the Report of the Committee on Finance for M-516 & Res. No. 1529 printed in these Minutes)**

Referred to the Committee on Finance.

Preconsidered M-517

**Communication from the Office of Management & Budget - Appropriation of new revenues of \$361.1 million in Fiscal Year 2017, pursuant to Section 107(e) of the New York City Charter (MN-7).**

June 6, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$ 361.1 million in fiscal year 2017.

This modification (MN-7) will implement revenue budget changes reflected in the City's Executive and Adopted Financial Plans. The \$ 361.1million of new revenues combined with additional resources of \$ 100 million of Prior Year Payables, and an adjustment to the General Reserve, will be used to prepay \$1.114 billion of fiscal year 2018 expenses in fiscal year 2017.

Your approval of modification MN-7 is respectfully requested.

Sincerely,

Dean Fuliehan

**(For related material, please see the Report of the Committee on Finance for M-517 & Res. No. 1530 printed in these Minutes)**

Referred to the Committee on Finance.

Preconsidered M-518

**Communication from the Chancellor – Submitting proposed amendment to the five-year Capital Plan FY 2015 – 2019.**

**(For related material, please see the Reports of the Committee on Finance for M-518 and Res. No. 1531 printed in these Minutes)**

Referred to the Committee on Finance.

## REPORTS OF THE STANDING COMMITTEES

### Report 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 M- 516

**Report of the Committee on Finance in favor of a Resolution approving a Communication from the Office of Management & Budget regarding the Transfer City funds between various agencies in Fiscal Year 2017 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-6).**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 6, 2017 and which same communication was coupled with the resolution shown below, respectfully

#### REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on June 6, 2017, the Committee on Finance considered a communication, dated June 6, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2017 expense budget as adopted by the Council on June 14, 2016, and modified on September 28, 2016, December 15, 2016, and March 16, 2017, pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”).

Analysis. 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 14, 2016, the Council adopted the expense budget for Fiscal Year 2017 (the “Fiscal 2017 Expense Budget”). On September 28, 2016, the Council modified the expense budget for Fiscal Year 2017. The Council further modified the expense budget for Fiscal Year 2017 on December 15, 2016 and March 16, 2017. This modification will implement expense budget changes that were reflected in the City’s Executive and Adopted Financial Plans. Furthermore, as requested by the Council, the modification will reallocate appropriations that were included in the Fiscal 2017 Expense Budget to fund City Council local initiatives as well as other discretionary programs.

The net effect of the Modification is zero. For more detail on the funding transfer between agencies, see Appendix A of the report attached hereto as Exhibit “1”.

Procedure. If the Mayor wishes to transfer part or all of any unit of appropriation to another unit of appropriation from one agency to another; or when a transfer from one unit of appropriation to the another, and such transfer results in any unit of appropriation being increased or decreased by the greater of five percent or \$50,000, section 107(b) of the Charter requires that the Mayor must first notify the Council of the proposed action. Within 30 days after the first stated meeting of the Council following receipt of such notice, the Council may disapprove such proposed action. If the Council fails to approve or disapprove such proposed action within such 30-day period, the proposed action becomes effective and the Mayor has the authority to make such transfer.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 107(b) of the Charter. Such resolution would take effect as of the date of adoption.

**(The following is the text of the Fiscal Impact Memo to the Finance Committee from the Finance**



**Division of the New York City Council:**

TO: Honorable Melissa Mark-Viverito  
Speaker

Honorable Julissa Ferreras-Copeland  
Chair, Finance Committee

FROM: Latonia McKinney, Director  
Nathan Toth, Deputy Director  
Regina Poreda Ryan, Deputy Director  
Paul Scimone, Deputy Director  
Ray Majewski, Chief Economist/Deputy Director  
Eric Bernstein, Counsel

DATE: June 6, 2017

SUBJECT: A budget modification (MN-6) for Fiscal Year 2017 to implement changes in the City's expense budget.

-----

INITIATION: By letter dated June 6, 2017, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds between various agencies to implement changes in the City's expense budget in the amount of \$1.15 billion.

BACKGROUND: MN-6 implements expense budget changes which were reflected in the City's Executive and Adopted Financial Plans and reallocates appropriations that were included in the Fiscal 2017 Adopted Budget to fund City Council local initiatives.

FISCAL IMPACT: MN-6 represents the reallocation of appropriations. The net effect of this modification is zero.

*Accordingly, this Committee recommends its adoption.*

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

Preconsidered Res. No. 1529

**RESOLUTION APPROVING THE MODIFICATION (MN-6) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.**

By Council Member Ferreras-Copeland.

**WHEREAS**, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on June 6, 2017, the Committee on Finance considered a communication, dated June 6, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the Fiscal Year 2017 expense budget as adopted by the Council on June 14, 2016, and modified on September 28, 2016, December 15, 2016, and March 16, 2017, pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”); and

**WHEREAS**, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

**NOW, THEREFORE**, The Council of the City of New York hereby resolves as follows:

**1. Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.

**2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT:**

**EXHIBIT 1: [MN-6](#)**

(please see the New York City Council website at <http://council.nyc.gov> for the MN-6 and Appendix A attachment to M-516 & Res. No. 1529 of 2017 found in the respective Attachments section of the file web page)

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M- 517

**Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the appropriation of new revenues of \$361.1 million in Fiscal Year 2017, pursuant to Section 107(e) of the New York City Charter (MN-7).**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 6, 2017 and which same communication was coupled with the resolution shown below, respectfully

### **REPORTS:**

Introduction. At the meeting of the Committee on Finance of the City Council on June 6, 2017, the Council considered a communication from the Office of Management and Budget of the Mayor (dated June 6, 2017) of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2017 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of June 6, 2017.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 (the "Fiscal 2017 Expense Budget"). On September 28, 2016 the Council adopted MN-1, modifying the Fiscal 2017 Expense Budget. On December 15, 2016, the Council adopted MN-2, modifying the Fiscal 2017 Expense Budget, and MN-3, which recognized less revenues. On March 16, 2017 the Council adopted MN-4, modifying the Fiscal 2017 Expense Budget, and MN-5, which appropriated new revenues.

Circumstances have changed since the Council last amended the Fiscal 2017 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues from any source other than categorical federal, state and private funding, or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2017 Expense Budget and related revenue estimate requested in the communication.

This modification (MN-7) seeks to increase revenues in the net amount of \$361.1 million compared to the most recent Revenue Budget Modification (MN-5). This represents an increase in City funds of approximately 0.6 percent.

MN-7 is the third revenue modification of Fiscal 2017, implementing changes since the second revenue modification (MN-5) and reflects changes since the January Plan.

MN-7 recognizes \$361.1 million in increased revenues, including a reduction of \$282.4 million in tax revenue, \$230.4 million in miscellaneous revenues, and \$413.0 million in reduced disallowances.

The most recent modification of the Revenue Budget, MN-5, reflected revenue projections in Fiscal 2017 Preliminary Plan. Between the Preliminary and Executive Plans, an additional \$526 million in City Funds was projected. Of that amount, (\$37 million) represents reduced revenues from taxes, \$176 million in additional miscellaneous revenues, and \$413 million in a reduction of the fund for disallowances of Federal and State categorical grants.

There were \$37 million in reduced tax revenues, comprising \$197 million in reduced personal income tax collections, \$75 million in reduced collections from the business corporation tax, and \$99 million less from the real property transfer tax. This was offset by \$206 million in additional revenues from the real property tax – almost all of which was from drawing down the property tax reserve, and \$210 million from audits.

Miscellaneous revenues increased by \$176 million. Within miscellaneous revenue, \$33 million comes from fines and forfeitures, \$30 million comes from the sale of development rights on the site of the Brooklyn Heights branch of the Brooklyn Public Library, and \$80.5 million are recoupments of prior year expenses used to prepay the MTA for student Metrocards.

There is also a one-time \$413 million addition in the Revenue Budget from the reduction of a liability set up to cover any disallowances of State and Federal categorical grants. This follows a \$215 million reduction from the fund in the Preliminary Plan. An historic example of such disallowance is a 2009 settlement with the Federal government in which New York State returned \$540 million, \$100 million of which was paid back by the City. This reduction of disallowances represents a judgement that the risk posed by these categorical grants is no longer great enough to require all of the \$900 million liability currently on the City's balance sheet.

Since the Executive Plan, City fund revenues are down by \$165 million. Taxes are down \$245 million mostly due to weaker business taxes. This is partially offset by an \$80 million increase in miscellaneous revenues.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2017 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Melissa Mark-Viverito  
Speaker

Honorable Julissa Ferreras-Copeland  
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division  
Raymond Majewski, Deputy Director/Chief Economist, Finance Division  
Eric Bernstein, Counsel  
Paul Sturm, Supervising Economist, Finance Division

DATE: June 6, 2017

SUBJECT: A Budget Modification (MN-7) for Fiscal 2017 that will appropriate \$361.1 million in new revenues.

-----

INITIATION: By letter dated June 6, 2017, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$361.1 million in new revenues. These new revenues, combined with additional resources of \$100 million of Prior Year Payables, and an adjustment to the General Reserve will be used to prepay \$1.114 billion in fiscal year 2018 expenses in 2017.

BACKGROUND: This modification (MN-7) seeks to recognize \$361.1 million in new revenues, and combines \$100 million in Prior Year Payables, implementing changes reflected in the Fiscal Year 2018 Executive and Adopted Financial Plan. Of these funds, combined with an adjustment to the General Reserve, are used to add \$414.4 million to the Budget Stabilization Account, which will prepay debt service for Fiscal 2018, \$400 million to the Retiree Health Benefit Trust and provide a lump sum payment of \$300 million to the Health and Hospitals Corporation.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2017 budget of \$361.1 million.

*Accordingly, this Committee recommends its adoption.*

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

Preconsidered Res. No. 1530

**RESOLUTION APPROVING A MODIFICATION (MN-7) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.**

By Council Member Ferreras-Copeland

**Whereas**, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on June 6, 2017, the Committee on Finance considered a communication, dated June 6, 2017, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

**Whereas**, Section 107(e) of the Charter requires the City Council and the Mayor to follow the procedures and required approvals pursuant to Sections 254, 255, and 256 of the Charter, without regard to the dates specified therein, in the case of the proposed appropriation of any new revenues and the creation of new units of appropriation; and

**Whereas**, Section 107(e) of the Charter requires that any request by the Mayor respecting an amendment of the budget that involves an increase in the budget shall be accompanied by a statement of the source of current revenues or other identifiable and currently available funds required for the payment of such additional amounts, attached hereto as Exhibit B (together with the Request to Appropriate, the "Revenue Modification");

**NOW, THEREFORE**, The Council of the City of New York hereby resolves as follows:

**1. Approval of Modification.** The City Council hereby approves the Revenue Modification pursuant to Section 107(e) of the Charter.

**2. Further Actions.** The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2017 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

**3. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT:****EXHIBIT A: MN-7**

June 6, 2017

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$ 361.1 million in fiscal year 2017.

This modification (MN-7) will implement revenue budget changes reflected in the City's Executive and Adopted Financial Plans. The \$ 361.1million of new revenues combined with additional resources of \$ 100 million of Prior Year Payables, and an adjustment to the General Reserve, will be used to prepay \$1.114 billion of fiscal year 2018 expenses in fiscal year 2017.

Your approval of modification MN-7 is respectfully requested.

Sincerely,

Dean Fuliehan

**FISCAL YEAR 2017 MODIFICATION  
MN-7**

098 Miscellaneous	
002 General Reserve	\$-653,413,883
098 Retiree Health Benefit Trust	
003 Fringe Benefits	\$ 400,000,000
099 Debt Service	
004 Budget Stabilization Account	\$ 414,465,249
819 Health and Hospitals Corp.	
001 Lump Sum	\$ 300,000,000
 TOTAL	 <b><u>\$ 461,051,366</u></b>

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. Other Council Members Attending: Council Members Torres.

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 M- 518

**Report of the Committee on Finance in favor of a Communication from the Chancellor in regard to submitting proposed amendment to the five-year Capital Plan FY 2015 – 2019.**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 6, 2017, respectfully

**REPORTS:**

Introduction. Section 2590-p of the State Education Law provides for the submission by the Chancellor of the New York City Department of Education (“Chancellor”) to the Council of the City of New York (“Council”) every five years, of a five-year educational facilities capital plan and amendments thereto. In addition, a memorandum of understanding (“MOU”) entered into by the Chancellor, the Speaker of the Council (the “Speaker”), and the Mayor of the City of New York (the “Mayor”) requires annual amendments to the Plan.

On June 26, 2014 the Council adopted the Five-Year Educational Facilities Capital Plan for the period of July 1, 2014 until June 30, 2019 (“2015 Plan”) for the New York City Public Schools as submitted by the Mayor, pursuant to Section 2590-p of the State Education Law. On February 23, 2016, the Council received a communication from the Chancellor, officially transmitting the proposed annual amendment to the 2015 Plan.

History. Generally, the State Education Law sets forth a planning process for repair, maintenance, and construction work in the City’s public school facilities. As stated above, section 2590-p requires the Chancellor to prepare five-year educational facilities capital plans (“Five-Year Plans”). These Five-Year Plans are required to break down the work proposed to be performed on the school facilities into categories called program elements and to provide cost estimates and start and completion dates for design and construction of projects.

Since the 2002, when the State School Governance Legislation brought the City’s school system under increased Mayoral control, Section 2590-p has required the Speaker and the Mayor to approve the Five-Year Plans. In addition, Section 2590-p provides for Council approval of amendments to the Plans.

On June 25, 2014, the Mayor, the Speaker, and the Chancellor entered into an MOU, which:

- Requires the annual amendment to include siting and/or location of each project (by building or school district, as appropriate), cost estimates, start dates and completion dates for each project;
- Requires an amendment to be submitted within sixty days of any State budgetary action regarding the City's educational capital facilities that creates a shortfall of funding of 5% or greater for any Plan year;
- Requires each amendment to include an updated Plan showing the projects anticipated over the next year of the Plan, and any changes to such projects that would result from the proposed amendment;
- Requires the Department of Education ("DOE") and the School Construction Authority ("SCA") to meet with each City Council Borough Delegation at least once per year, with meeting to be held after the November proposed amendment and, at the discretion of the Delegation, to meet at least one time after the release of the second proposed amendment;
- Requires the SCA to post on its website the Annual Facilities Survey and any Alternate Site Analysis within 30 days of completion and also requires the SCA to update and post on its website quarterly a report detailing the schedules and budgets for all capital projects, disaggregated by school district, currently in process; and
- Prohibits actions or expenditures, excluding those facilitating scope and design or those for emergency projects, in furtherance of any projects to be undertaken in the Plan year that is the subject of the annual amendment to be taken prior to approval of the annual amendment by the Mayor and Council.

Proposed Amendment. On February 23, 2017, the Chancellor submitted to the Council the proposed annual amendment (hereinafter referred to as the "Proposed Amended Plan") to the 2015 Plan totaling \$15.5 billion, which reflects an increase of \$663 million from the 2015 Plan prior to the Proposed Amended Plan. Such increase is the result of the following actions in the following program areas:

- Capacity Program: an approximately \$226 million increase in the Capacity Program, which now totals \$5.9 billion;
- Capital Investment Program: an approximately \$454 million dollar increase in the Capital Investment Program, which now totals \$6 billion; and
- Mandated Programs: an approximately \$17 million decrease in Mandated Programs, which now totals \$3.6 billion.

Of the \$663 million increase, \$171 million is funding provided by the City Council, Borough Presidents, and the Mayor.



Capacity Program (\$226 million increase in funding)

The Proposed Amended Plan increases funding for the Capacity Program by \$226 million to \$5.9 billion, which is 38.1 percent of the entire \$15.5 billion plan. Funding for the Capacity Program, which includes all elements of the plan that result in new or replacement capacity for the system, is provided in four categories, including:

1. New Capacity (\$16 million increase)

Funding for New Capacity in the Proposed Amended Plan totals \$4.5 billion, which reflects an increase of \$16 million. The Proposed Amended Plan's New Capacity program is for the design and construction of 44,300 seats and the design of an additional 2,641 seats. Only those districts and sub-districts where there is an identified need for capacity will receive additional seats. Currently, there are 38,463 unfunded seats across the City.

2. Pre-Kindergarten Initiative (\$130 million increase)

In the Proposed Amended Plan, \$130 million is added to the Pre-Kindergarten Initiative, bringing the total funding level to \$800 million. A total of \$800 million will allow the SCA to increase Pre-Kindergarten seat capacity by more than 8,300 seats in new buildings constructed for elementary school use and built or leased pre-kindergarten centers. The Proposed Amended Plan identifies 67 projects with a capacity of 8,321 seats.

3. Class Size Reduction Program (remains unchanged)

The Class Size Reduction Program includes \$490 million to create an additional 4,900 seats targeted specifically to reduce class sizes. An analysis is underway to determine the best criteria to use to distribute the funds. Currently three projects have been identified, but more will be identified in the future. Capacity added through this initiative would not count towards fulfilling the citywide need of adding 82,811 new seats.

4. Facility Replacement Program (\$80 million dollar reduction)

The Facility Replacement Program is intended for the replacement of facilities whose leases will expire during the course of the 2015 Plan and for seats that will otherwise become unavailable. The replacement site could be another lease or a newly constructed building, depending on the available real estate. Funding for the Facility Replacement Program in the Proposed Amended Plan totals \$142 million over the five-year life of the 2015 Plan.

Capital Investment Program (\$860 million increase)

The Proposed Amended Plan increases funding for the Capital Investment program by \$454 million. The Capital Investment Program now totals almost \$6 billion, which is 38.5 percent of the entire \$15.5 billion plan. The Capital Investment Program is comprised of the Capital Improvement Program and School Enhancement Projects.

1. Capital Improvement Program (\$164 million increase)

The Proposed Amended Plan increases the funding level for the Capital Improvement Program (“CIP”) by \$164 million, bringing the total to \$3.8 billion. The program includes all interior and exterior upgrades to the DOE building stock of approximately 1,300 buildings, including work such as building repairs, system replacements, and reconfiguration of existing school buildings.

The CIP projects are selected for the plan based on the level of need for repair. The need for repair is determined by the Building Conditions Assessment Survey (“BCAS”), a survey mandated by the New York State Education Department that requires visual inspections of every school building to assess the building’s physical condition. The BCAS gives every building component a rating of 1 to 5.

2. School Enhancement Projects (\$118 million increase)

School Enhancement Projects include Facility Enhancements (\$874 million) and Technology Enhancements (\$654 million). These projects are upgrades to instructional spaces in existing buildings. The Proposed Amended Plan reflects an increase of \$114 million for Facilities Enhancements, which funds facility adjustments that enable changes to instructional offerings in particular buildings.

Improving technology in schools is a significant focus of the 2015 Plan, which includes a funding level of \$654 million for technology enhancements that was increased by \$4.4 million in the Proposed Amended Plan. As a result of completed projects, all DOE school buildings currently have broadband connectivity and wireless access. Funding in the 2015 Plan is used to sustain high bandwidth connectivity and increase the capacity and ability of each classroom to support extensive use of student-centered digital resources.

Mandated Programs (\$17 million decrease)

Funding for Mandated Programs decreased \$17 million to \$3.6 billion in the Proposed Amended Plan, which is 23.5 percent of the entire \$15.5 billion plan. Mandated Programs includes funding for projects required by law or City agency mandate, such as completing the BCAS, emergency lighting, code compliance, prior plan completion costs, and insurance.

Sub-programs funded within Mandated Programs include:

- Wrap-Up Insurance includes funding for the insurance coverage for the SCA, its contractors, and subcontractors.
- Boiler Conversions and Associated Climate Control covers the conversion of boilers from using the dirtiest and polluting grades of heating fuel, known as residual oil Number 4 or Number 6, to using one of the cleanest, Number 2 oil.
- The Building Conditions Surveys Program includes funding for the completion of the annual facility inspection surveys and an extensive BCAS every year.
- Prior Plan Completion includes funds for projects still in progress from the Fiscal 2010-2014 Capital Plan, where costs have exceeded the project budget funded in that plan.

- The Emergency, Unspecified, and Miscellaneous category is a category that allows the SCA to respond to any unforeseen needs and emergencies that arise during the course of executing its capital plan.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the annual amendment to the 2015 Plan pursuant to §2590-p of the State Education Law, and Paragraph (1)(a) of the June 25, 2014 MOU providing for annual amendments.

*Accordingly, this Committee recommends its adoption.*

**(For related legislation, please see the Report of the Committee on Finance for Res. No. 1531 printed below in these Minutes)**

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1531

**Report of the Committee on Finance in favor of a Resolution approving, pursuant to Section 2590-p of the State Education Law and paragraph (1)(a) of the Memorandum of Understanding, dated June 25, 2014, among the Mayor, the Speaker, and the Chancellor, the Amendment to the Five-Year Educational Facilities Capital Plan for 2015-2019 submitted by the Chancellor.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017 and which same communication was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For related report, please see the Report of the Committee on Finance for M-518 printed above in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1531:)**

## Preconsidered Res. No. 1531

**RESOLUTION APPROVING, PURSUANT TO SECTION 2590-p OF THE STATE EDUCATION LAW AND PARAGRAPH(1)(a) OF THE MEMORANDUM OF UNDERSTANDING, DATED JUNE 25, 2014, AMONG THE MAYOR, THE SPEAKER, AND THE CHANCELLOR, THE AMENDMENT TO THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2015-2019 SUBMITTED BY THE CHANCELLOR.**

By Council Member Ferreras-Copeland.

**WHEREAS**, State Education Law Section 2590-p provides for the development and approval, every five years, of a five-year educational facilities capital plan and amendments thereto; and

**WHEREAS**, On June 26, 2014, after extensive discussions and negotiations with the Department of Education over the content and specifics of the proposed 2015-2019 Five-Year Educational Facilities Capital Plan, the Council of the City of New York approved the Five-Year Educational Facilities Capital Plan for the period of July 1, 2014 until June 30, 2019 (“2015 Plan”) pursuant to Section 2590-p of the Education Law for a total budget of \$12.8 billion; and

**WHEREAS**, On June 25, 2014, the Mayor of the City of New York (“Mayor”), the Speaker of the Council of the City of New York (“Speaker”), and the Chancellor entered into a Memorandum of Understanding (“MOU”), which required, *inter alia*, the Chancellor of the New York City Department of Education (“Chancellor”) to submit annual amendments to the (“2015 Plan”) to the Mayor and the City Council for their respective consideration and approval; and

**WHEREAS**, The MOU also imposed additional reporting requirements on the New York City Department of Education (“DOE”); and

**WHEREAS**, On February 23, 2017, the Chancellor submitted to the Council the proposed second annual amendment (hereinafter referred to as the “Amendment”) to the 2015 Plan, which would increase funding for the 2015 Plan by \$663 million to \$15.5 billion; and

**WHEREAS**, This Amendment provides \$5.9 billion for the Capacity Program, which includes all elements of the 2015 Plan that result in new or replacement capacity for the educational system; and

**WHEREAS**, This Amendment also provides \$6 billion for the Capital Investment Program, which is for the enhancement and repair of existing facilities to improve the quality of infrastructure of buildings and properties; and

**WHEREAS**, This Amendment also provides \$3.6 billion for the Mandated Programs, which are projects required by law or City agency mandate; and

**WHEREAS**, This Amendment also includes funding in the amount of approximately \$659 million, which has been provided by the City Council, Borough President, and Mayor/Council sources; now, therefore, be it

**RESOLVED**, That the Council of the city of New York hereby approves, pursuant to Section 2590-p of the State Education Law and Paragraph (1)(a) of the Memorandum of Understanding, dated June 25, 2014, among the Mayor, the Speaker, and the Chancellor, the Amendment to the Five-Year Educational Facilities Capital Plan for 2015-2019 submitted by the Chancellor.

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1520

**Report of the Committee on Finance in favor of a Resolution computing and certifying Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2018 to the State Board of Real Property Services Pursuant to Section 1803-a of the Real Property Tax Law.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**Introduction.** Section 1803-a of the Real Property Tax Law requires the City Council to certify to the State Board of Real Property Services ("SBRPS") certain calculations used in the process of updating the class shares from the previous year. These calculations are made every year by the Council to reflect the following changes in each class of real property:

- a. Changes in the market value of taxable real property (as determined by SBRPS sample studies),
- b. Physical changes as a result of new construction or demolitions,
- c. Changes in taxable status, and
- d. Transfers of real property among the four classes of real property as a result of changes in use or for other reasons.

Under SBRPS regulations, the Council must update the class shares by making two separate certifications. The action to be taken in the above-referenced resolution constitutes the first step of establishing the class shares of the four classes of taxable real property in the City to which the tax levy for the Fiscal 2018 budget will be applied. The purpose of this step is to give effect to the latest class equalization rates required by Article 18 of the Real Property Tax Law. Using these rates, new estimates of market values for each class are calculated.

The second step, certifying the "adjusted base proportions", is the subject of a separate resolution that takes account of all the changes that are included in the final assessment roll, after Tax Commission review of taxpayer protests. Attached hereto, as Exhibit A, are definitions of terms that are used in the analysis below.

**Analysis.** The class equalization rates described above produce prospective current base proportions that show a decrease in Class 3 and Class 4 below the Fiscal 2017 adjusted base proportion, or "class shares" (as shown in column R of SBRPS Form RP-6700 attached to the above-captioned resolution), and increases in the class shares of Classes 1 and 2. Pursuant to Section 1803-a(1)(c) of the Real Property Tax Law if the increase in any class exceeds 5 percent, the Council is directed to shift the excess (and only the excess) to any other class or classes so long as the shift does not cause the current base proportion of any other class to increase by more than 5 percent. None of the increases for any of the classes exceed the cap, therefore, in the above-captioned resolution, there is no excess above 5 percent to distribute.

The chart below shows the changes of the current base proportions of all four classes from their adjusted base proportions in Fiscal 2017. No class sees a percent change that exceeds the 5 percent cap.

Class	Percent Change of FY18 Current Base Proportions from FY17 Adjusted Base Proportions
1	+4.419
2	+0.063
3	-6.429
4	-0.704

However, these "current base proportions" must still be adjusted for the physical changes and transfers among classes which are contained in the final assessment roll. These adjustments will be made in a separate resolution constituting the Council's second step. The "adjusted base proportions"

#### **EXHIBIT A**

"Class equalization rate" represents the percentage that the total assessed value of each class is of the market value of the class, as shown in SBRPS sample studies.

"Base percentage" represents the percentage of total market value that each class constitutes in the 1989 base tax roll. The 1989 base tax roll is the one that was used in setting the tax levy for Fiscal 1990.

"Current percentage" is similar to the base percentage, but applies to the most recent year for which the SBRPS has established class equalization rates (in this case, the 2016 tax roll).

"Local base proportions" are the class tax shares used to fix the tax rates for Fiscal 1991.

"Current base proportions" are the local base proportions modified to take into account the market value changes revealed by the latest class equalization rates.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1520:)**

Preconsidered Res. No. 1520

**RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2018 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Ferreras-Copeland.

**Whereas**, This Resolution, dated June 6, 2017, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2017 and ending on June 30, 2018 (“Fiscal 2018”) to the State Board of Real Property Services (“SBRPS”) pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On March 10, 2017 the SBRPS certified the final State equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, required by Article 18 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

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

**Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2018.** (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2018 assessment rolls as shown on SBRPS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPS after the date on which the SBRPS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

**ATTACHMENT: [The CBP Certificate \(2017\)](#)**

(For text, please see the New York City Council website at <http://council.nyc.gov> for the CBP Certificate attachment to Res. No. 1520 of 2017 found in the Attachments section of the file web page)

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1521

**Report of the Committee on Finance in favor of a Resolution approving computing and certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2018 to the State Board of Real Property Services Pursuant to Section 1803-a of the Real Property Tax Law.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**Introduction.** The above-captioned resolution completes the certification procedure required by Section 1803-a of the Real Property Tax Law to establish the class shares used in levying the real property taxes for the adopted Fiscal 2018 budget.

In a separate resolution, the Council computed and certified the current base proportions for Fiscal 2018 (the "CBP Resolution"). The above-captioned resolution uses those current base proportions, together with data supplied by the New York City Department of Finance from the final assessment roll released on May 25, 2017, to determine the adjusted base proportions (or class shares) in accordance with the procedure established by the State Board of Real Property Services (the "SBRPS").

The current base proportion for each class of real property takes into account the market value changes in the class occurring between the assessment roll for the base period, 1989, and the latest roll for which SBRPS has established class equalization rates, 2016. The CBP Resolution modified the class shares for the Fiscal 2018 property tax levy accordingly. The remaining step, to be taken in the above-captioned resolution, adjusts these current base proportions to take account of the various physical changes (such as demolitions, new construction, changes in exempt status and transfers among classes) that are reflected in the new final assessment roll. The computations called for in the SBRPS procedure are designed to separate the effects of these physical changes from equalization changes made by local assessors.

**Analysis.** The calculations shown on the SBRPS Form RP-6702 attached to the above-captioned resolution modify the share for each class to reflect physical changes. For Fiscal 2018, all property tax classes show modest physical increases. The Fiscal 2018 adjusted base proportions for Classes 1 and 4 show modest declines of an average of 0.6 percent from the Fiscal 2018 current base proportions. Classes 2 and 3 on the other hand see increases due to physical increases pushing their adjusted base percentage up about 0.4 percent and 4.6 percent, respectively. However, the changes from the adjusted base proportions from Fiscal 2017 to Fiscal 2018, as reported in the table below, show an increase for Class 1 and 2, while Classes 3 and 4 see decreases.



Comparison of Class Shares for Fiscal 2017 and Fiscal 2018			
Class	Fiscal 2017	Fiscal 2018	Percent Change
1	14.8922	15.5015	+4.09
2	37.2591	37.4488	+0.51
3	6.0207	5.8936	-2.11
4	41.8280	41.1561	-1.61
Total	100.0000	100.0000	

The tax rates resulting from the use of class shares, or adjusted base proportions, shown above for Fiscal 2018 are compared to the Fiscal 2017 tax rates in the following table.

Comparison of Tax Rates for Fiscal 2017 and Fiscal 2018 (Per \$100 Assessed Value)			
Class	Fiscal 2017	Fiscal 2018	Difference
1	\$19.991	\$21.289	\$1.30
2	12.892	12.728	-0.16
3	10.934	11.129	0.19
4	10.574	10.441	-0.13

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1521:)**

Preconsidered Res. No. 1521

**RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2018 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Ferreras-Copeland.

**Whereas**, This Resolution, dated June 6, 2017, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2017 and ending on June 30, 2018 ("Fiscal 2018") to the State Board of Real Property Services ("SBRPS") pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On May 25, 2017, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2018, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2018 Assessment Rolls"); and

**Whereas**, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2018 (the "Current Base Proportion Resolution"); and

**Whereas**, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2018 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2018 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

**Whereas**, within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPS, the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from the additions to or removals from the Fiscal 2018 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from changes other than those referred to above;

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

**Section 1. Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2018.** (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from the additions to or removals from the Fiscal 2018 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPS no later than five days after the date hereof.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1522

**Report of the Committee on Finance in favor of a Resolution 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 June 6, 2017, 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 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”). On June 26, 2015, the Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”). On June 25, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”).

**Analysis.** This Resolution, dated June 6, 2017, approves the new designation and the changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the change in the designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, approves the changes in the designation of certain organizations receiving funding for a certain initiative in accordance with the Fiscal 2015 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 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 2017 Expense Budget, new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, changes in the designation of certain organizations receiving funding for a certain initiative in accordance with the Fiscal 2015 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 2; sets forth the change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 4-21; sets forth the new designation and the changes in the designation of certain organizations receiving local and youth discretionary and funding for certain initiatives pursuant to the Fiscal 2016 Expense Budget, as described in Chart 22-25; sets forth the changes in the designation of certain organizations receiving funding pursuant to a certain initiative in the Fiscal 2015 Expense Budget, as described in Chart 26; amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as described in Chart 27; amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, as described in Chart 28; and sets forth the organizations that will receive equipment from the organization funded by a certain initiative, as described in Chart 29.

Specifically, Chart 1 sets forth the new designation and the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 3 sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 4 sets forth the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 5 sets forth the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification. Such funds were transferred from the Veterans Community Development Initiative in Chart 19.

Chart 6 sets forth the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 8 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 9 sets forth the change in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 10 sets forth the new designation of a certain organization receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 11 sets forth the change in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 12 sets forth the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 13 sets forth the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 14 sets forth the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 15 sets forth the change in the designation of a certain organization receiving funding pursuant to the Elie Wiesel Holocaust Survivors Initiative in accordance with the Fiscal 2017 Expense Budget. The reduced amount is being rolled over into Fiscal 2018.

Chart 16 sets forth the change in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 17 sets forth the change in the designation of a certain organization receiving funding pursuant to the LGBT Inclusive Curriculum in accordance with the Fiscal 2017 Expense Budget.

Chart 18 sets forth the change in the designation of a certain organization receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2017 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 19 sets forth the removal of funds of a certain organization receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget. Such funds were transferred to the Speaker's Initiative to Address Citywide Needs in Chart 09. This change will be effectuated upon a budget modification.

Chart 20 sets forth the change in the designation of a certain organization receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 21 sets forth the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 22 sets forth the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 23 sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 24 sets forth the change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 25 sets forth the change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 26 sets forth the change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 27 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 28 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget.

Chart 29 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, from the organization, Staten Island Heart Society, Inc., funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017.

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 2017, Fiscal 2016, 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. 1522:)**

Preconsidered Res. No. 1522

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

By Council Member Ferreras-Copeland.

**Whereas**, On June 14, 2016 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2017 with various programs and initiatives (the "Fiscal 2017 Expense Budget"); and

**Whereas**, On June 26, 2015 the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”); and

**Whereas**, On June 25, 2014 the City Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, 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 2017 and Fiscal 2016 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves sets forth the change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves sets forth the change in the designation of certain organizations receiving Anti-Poverty Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Speaker’s Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving Parks Equity Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving Domestic Violence and Empowerment (DoVE) Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Elie Wiesel Holocaust Survivors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the LGBT Inclusive Curriculum in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Anti-Poverty Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 28.

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 29.

**ATTACHMENT:**



CHART 1: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Levin	PS 110K PTA INC	47-2961415	DOE	(\$2,500.00)	040	402			
Levin	Department of Education	13-6400434	DOE	\$2,500.00	040	402			
Levin	Greenpoint Chamber of Commerce Inc	46-1128358	DSBS	(\$3,000.00)	801	002			
Levin	Evergreen, Inc. - Your North Brooklyn Business Exchange	11-2647339	DSBS	\$3,000.00	801	002			*
Lander	South Brooklyn Local Development Corporation**	11-2882656	DSBS	(\$5,000.00)	801	002			
Lander	South Brooklyn Local Development Corporation**	11-2882656	DYCD	\$5,000.00	260	005			
Barron	Bedford Stuyvesant Volunteer Ambulance Corps**	11-2957898	FDNY	(\$5,000.00)	057	005			
Barron	Brooklyn Boatworks, Inc.**	27-1509754	DYCD	\$5,000.00	260	312			
Cabrera	Progressive Youths Soccer Club	27-2272990	DYCD	(\$5,000.00)	260	312			*
Cabrera	Mosholu Preservation Corporation	13-3109387	DYCD	\$5,000.00	260	005			
Espinal	St. Peters Lutheran Church	11-1797192	DYCD	(\$15,000.00)	260	312			
Espinal	St. Peter's Evangelical Lutheran Church	11-1797192	DYCD	\$15,000.00	260	312			
Dromm	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$10,000.00)	260	005			
Dromm	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$10,000.00	260	005			
Lancman	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$5,000.00)	260	005			
Lancman	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$5,000.00	260	005			
Speaker	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$25,000.00)	260	312			
Speaker	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$25,000.00	260	312			
Crowley	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$5,000.00)	260	312			
Crowley	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$5,000.00	260	312			
Gentile	St. Patrick in Fort Hamilton	11-1631818	DYCD	(\$5,000.00)	260	005			
Gentile	St. Patrick's Church	11-1631818	DYCD	\$5,000.00	260	005			
Espinal	St. Peters Lutheran Church	11-1797192	DYCD	(\$15,000.00)	260	312			
Espinal	St. Peters Evangelical Lutheran Church	11-1797192	DYCD	\$15,000.00	260	312			
Levin	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$2,000.00)	260	005			
Levin	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$2,000.00	260	005			
Levin	84th Precinct Community Council	11-3149257	DYCD	(\$2,000.00)	260	005			
Levin	84th Precinct Community Council	11-3149257	DYCD	\$2,000.00	260	005	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Canopy Canopy Canopy, Inc.	30-0537058	DYCD	(\$2,000.00)	260	005			
Levin	Canopy Canopy Canopy, Inc.	30-0537058	DYCD	\$2,000.00	260	005	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Leap Inc.	11-3111694	DYCD	(\$2,500.00)	260	005			
Levin	Leap Inc.	11-3111694	DYCD	\$2,500.00	260	005	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Little Essentials	27-5281758	DYCD	(\$2,000.00)	260	312			

Levin	Little Essentials	27-5281758	DYCD	\$2,000.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Friends of Pool, Inc.	61-1745367	DYCD	(\$2,000.00)	260	005			*
Levin	Friends of Pool, Inc.	61-1745367	DYCD	\$2,000.00	260	005	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	

\* Indicates pending completion of pre-qualification review.

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

**CHART 2: Aging Discretionary - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Barron	Miller Avenue Block Association, Inc.	11-2752769	DFTA	(\$15,600.00)	125	003			*
Barron	CAMBA, Inc.	11-2480339	DFTA	\$15,600.00	125	003			
Dromm	Neighborhood Housing Services of New York City, Inc.	13-3098397	DFTA	(\$5,000.00)	125	003			
Dromm	Neighborhood Housing Services of Queens CDC, Inc.	47-1267077	DFTA	\$5,000.00	125	003			

\* Indicates pending completion of pre-qualification review.

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

## CHART 3: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Cabrera	Learning Leaders, Inc.	13-2658549	DYCD	(\$10,000.00)	260	312			*
Cabrera	Mosholu Preservation Corporation	13-3109387	DYCD	\$10,000.00	260	312			
Cumbo	Magnus Mukoro Sports Foundation, Inc.	81-2828793	DYCD	(\$2,500.00)	260	312			*
Cumbo	Magnus Mukoro Sports Foundation, Inc.	81-2828793	DYCD	\$2,500.00	260	312	CAMBA, Inc.	11-2480339	*
Constantinides	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$5,000.00)	260	312			
Constantinides	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$5,000.00	260	312			
Vallone	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$5,000.00)	260	312			
Vallone	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$5,000.00	260	312			
Gentile	St. Vincent's Services, Inc.	11-1631823	DYCD	(\$3,500.00)	260	312			
Gentile	Heartshare St. Vincent Services	11-1631823	DYCD	\$3,500.00	260	312			
Dickens	Children's Storefront	13-2940671	DYCD	(\$5,000.00)	260	312			
Dickens	Storefront Academy of Harlem	13-2940671	DYCD	\$5,000.00	260	312			
Dickens	Children's Storefront	13-2940671	DYCD	(\$5,000.00)	260	312			
Dickens	Storefront Academy of Harlem	13-2940671	DYCD	\$5,000.00	260	312			
Barron	No Kids Left Behind, Inc.	46-1995846	DYCD	(\$5,000.00)	260	312			
Barron	Sisters With Purpose, Inc.	27-2830778	DYCD	\$5,000.00	260	312			
Maisel	Cadets Baseball Club, Inc.	11-2668901	DYCD	(\$2,000.00)	260	312			*
Maisel	Cultural Museum of African Art, Inc. - The Eric Edwards Collection	90-0907203	DYCD	\$2,000.00	260	312			
Williams	Rugby Family Services	11-3223904	DYCD	(\$3,500.00)	260	312			*
Williams	Rugby Family Services	11-3304088	DYCD	\$3,500.00	260	312			*
Levin	Brooklyn Youth Sports Club	27-1404772	DYCD	(\$2,000.00)	260	312			
Levin	Brooklyn Youth Sports Club	27-1404772	DYCD	\$2,000.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Gelsey Kirkland Academy of Classical Ballet	27-1623781	DYCD	(\$2,000.00)	260	312			
Levin	Gelsey Kirkland Academy of Classical Ballet	27-1623781	DYCD	\$2,000.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	READ 718	46-4080472	DYCD	(\$2,500.00)	260	312			
Levin	READ 718	46-4080472	DYCD	\$2,500.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Art of Problem Solving Foundation	20-1239616	DYCD	(\$2,000.00)	260	312			
Levin	Art of Problem Solving Foundation	20-1239616	DYCD	\$2,000.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Levin	Project Extreme	36-4428246	DYCD	(\$2,000.00)	260	312			*
Levin	Project Extreme	36-4428246	DYCD	\$2,000.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	*

\* Indicates pending completion of pre-qualification review.

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

## CHART 4: Anti-Poverty Initiative - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Barron	Soul Tigers Marching Band, Inc.	11-0615740	DYCD	(\$5,000.00)	260	312			*
Barron	Isabehila Ladies of Elegance Foundation	27-2519508	DYCD	\$5,000.00	260	312			*
Lander	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$5,000.00)	260	005			
Lander	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$5,000.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

**CHART 5: Speaker's Initiative to Address Citywide Needs - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	Urban Justice Center**	13-3442022	NYCHA	(\$50,000.00)	098	002			
Speaker	Urban Justice Center**	13-3442022	DYCD	\$50,000.00	260	005			
Speaker	Placeful Company, Inc.**	47-1267077	DSBS	\$30,000.00	801	002			

\* Indicates pending completion of pre-qualification review.

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

CHART 6: Boroughwide Needs Initiative - Fiscal 2017

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Brooklyn Delegation	Volunteers of Legal Service, Inc.**	13-3234630	DSS/HRA	(\$7,500.00)	069	107			
Brooklyn Delegation	Volunteers of Legal Service, Inc.**	13-3234630	DSBS	\$7,500.00	801	002			
Queens Delegation	Long Island Gay And Lesbian Youth, Inc.	20-8512786	DYCD	(\$50,000.00)	260	312			
Queens Delegation	Long Island Gay And Lesbian Youth, Inc.	11-3192966	DYCD	\$50,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

**CHART 7: Parks Equity Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Barron	East New York 4 Gardens	81-3468040	DPR	(\$10,000.00)	846	006	*
Barron	East New York Restoration Local Development Corporation	46-1763706	DPR	\$10,000.00	846	006	
Barron	Empowering Youth Towards Excellence	27-2246317	DPR	(\$10,000.00)	846	006	
Barron	East New York Restoration Local Development Corporation	46-1763706	DPR	\$10,000.00	846	006	
Rose	City Parks Foundation	13-3561657	DPR	(\$20,000.00)	846	006	
Rose	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006	
Rose	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006	

\* Indicates pending completion of pre-qualification review.

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



## CHART 8: Food Pantries Initiative - Fiscal 2017

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development	13-6400434	DYCD	(\$59,581.00)	260	005	
Bronx Delegation	City Harvest, Inc.	13-3170676	DYCD	\$7,447.00	260	005	
Brooklyn Delegation	City Harvest, Inc.	13-3170676	DYCD	\$7,447.00	260	005	
Manhattan Delegation	Food Bank for New York City, The	13-3179546	DYCD	\$11,170.60	260	005	
Queens Delegation	Food Bank for New York City, The	13-3179546	DYCD	\$11,170.60	260	005	
Brooklyn Delegation	Salvation Army, The	13-5562351	DYCD	\$14,897.80	260	005	
Brooklyn Delegation	New Hope Family Worship Center	11-3037658	DYCD	\$3,724.00	260	005	*
Brooklyn Delegation	Christian Cultural Center	11-2732579	DYCD	\$3,724.00	260	005	*
Brooklyn Delegation	R.C. Church of St. Patrick in Fort Hamilton	11-1631818	DYCD	(\$10,000.00)	260	005	
Brooklyn Delegation	St. Patrick's Church	11-1631818	DYCD	\$10,000.00	260	005	
Brooklyn Delegation	St. Rose of Lima Golden Age Club	11-1635114	DYCD	(\$12,485.00)	260	005	*
Brooklyn Delegation	Jewish Community Council of the Rockaway Peninsula, Inc.	11-2425813	DYCD	\$12,485.00	260	005	
Brooklyn Delegation	Rugby Family Services	11-3223904	DYCD	(\$10,641.00)	260	005	*
Brooklyn Delegation	Rugby Family Services	11-3304088	DYCD	\$10,641.00	260	005	*
Brooklyn Delegation	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$5,000.00)	260	005	
Brooklyn Delegation	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$5,000.00	260	005	
Brooklyn Delegation	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$37,242.00)	260	005	
Brooklyn Delegation	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$37,242.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 9: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Barron	Sisters Building Sisters in Brooklyn, Inc.	47-5143697	MOCJ	(\$25,000.00)	098	002	*
Barron	Connect, Inc.	02-0694269	MOCJ	\$25,000.00	098	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 10: Digital Inclusion and Literacy Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Youth and Community Development**	13-6400434	DYCD	(\$20,000.00)	260	005	
Ulrich	Queens Borough Public Library**	13-6400434	QBPL	\$20,000.00	039	001	

\* Indicates pending completion of pre-qualification review.

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

**CHART 11: HIV/AIDS Faith Based Initiative - Fiscal 2017**

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Staten Island Delegation	Islamic Center, Inc.	13-4108308	DOHMH	(\$10,000.00)	816	112	*
Staten Island Delegation	Second Chance Resources Group	45-4345759	DOHMH	\$10,000.00	816	11200	
Brooklyn Delegation	Emmanuel Baptist Church (Brooklyn)	11-1666232	DOHMH	(\$13,021.00)	816	112	*
Brooklyn Delegation	National Black Leadership Commission on AIDS, Inc.	13-3530740	DOHMH	\$13,021.00	816	112	W

\* Indicates pending completion of pre-qualification review.

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

**CHART 12: Neighborhood Development Grant Initiative Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Richards	East River Development Alliance, Inc.	86-1096987	DSBS	(\$22,000.00)	801	002	
Richards	Rockaway Development and Revitalization Corporation	11-2575794	DSBS	\$22,000.00	801	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 13: SU-CASA Initiative Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Matteo	Staten Island Historical Society - Arrochar Neighborhood Senior Center, Staten Island Community Services Friendship Clubs Inc.	13-1985514	DCLA	(\$15,000.00)	126	003	
Matteo	Staten Island Institute of Arts and Sciences - Arrochar Neighborhood Senior Center, Staten Island Community Services Friendship Clubs Inc.	13-5564127	DCLA	\$15,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 14: Cultural After-School Adventure (CASA) Initiative Fiscal 2017**

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A	*
Greenfield	Brooklyn Arts Council, Inc. - Frieda Girls Elementary School	23-7072915	DCLA	(\$20,000.00)	126	003	
Greenfield	Brooklyn Arts Council, Inc. - P231 @ Public School 238K	23-7072915	DCLA	\$20,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 15: Elie Wiesel Holocaust Survivors Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Crown Heights Jewish Community Council,	23-7390996	DFTA	(\$60,000.00)	125	003	

\* Indicates pending completion of pre-qualification review.

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



**CHART 16: Autism Awareness Initiative – Fiscal 2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Manhattan Children's Center	64-0952338	DOHMH	(\$50,000.00)	816	121	*
Sinergia, Inc.	13-3183344	DOHMH	\$50,000.00	816	121	
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$55,000.00)	816	121	
Resources for Children with Special Needs, Inc.	11-2594790	DOHMH	\$55,000.00	816	121	

\* Indicates pending completion of pre-qualification review.

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

**CHART 17: LGBT Inclusive Curriculum Initiative - Fiscal 2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Teachers College Columbia University	13-1624202	DOE	(\$22,412.00)	040	454	
Department of Education	13-6400434	DOE	\$22,412.00	040	454	

\* Indicates pending completion of pre-qualification review.

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

**CHART 18: Immigrant Health Initiative - Fiscal 2017**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Health and Hospitals	13-2655001	DOHMH	(\$75,000.00)	816	117	
Health and Hospitals	13-2655001	HHC	\$75,000.00	819	001	

\* Indicates pending completion of pre-qualification review.

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

**CHART 19: Veterans Community Development Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Jericho	13-3213525	DYCD	(\$30,000.00)	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 20: Post-Arrest Diversion Program for Young Adults Initiative - Fiscal 2017**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
District Attorney - Richmond	13-6400434	DASI	(\$27,500.00)	905	002	
Staten Island Partnership for Community Wellness	54-2132600	DASI	\$27,500.00	905	002	

\* Indicates pending completion of pre-qualification review.

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

**CHART 21: Geriatric Mental Health Initiative - Fiscal 2017**

Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$62,000.00)	816	120	
Grand Street Settlement, Inc.	13-5562230	DOHMH	\$15,000.00	816	120	
Lenox Hill Neighborhood House, Inc.	13-1628180	DOHMH	\$22,000.00	816	120	
Chinese American Planning Council, Inc.	13-6202692	DOHMH	\$10,000.00	816	120	
Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	\$15,000.00	816	120	

\* Indicates pending completion of pre-qualification review.

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

**CHART 22: Local Initiatives - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Levin	Greenpoint Chamber of Commerce Inc	46-1128358	DSBS	(\$3,500.00)	801	002			
Levin	Evergreen, Inc. - Your North Brooklyn Business Exchange	11-2647339	DSBS	\$3,500.00	801	002			
Maisel	Expressions Educational And Cultural Center, Inc.	90-0665550	DYCD	(\$1,500.00)	260	312			
Maisel	Metro Chamber Orchestra, Inc.	47-3034551	DYCD	\$1,500.00	260	312			
Levin	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$3,500.00)	260	005			
Levin	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$3,500.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

**CHART 23: Youth Discretionary - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Maisel	Cadets Baseball Club, Inc.	11-2668901	DYCD	(\$2,000.00)	260	312			
Maisel	Metro Chamber Orchestra, Inc.	47-3034551	DYCD	\$2,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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



## CHART 24: Anti-Poverty Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Lander	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$5,000.00)	260	005			
Lander	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$5,000.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

## CHART 25: Food Pantries Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Brooklyn Delegation	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$22,278.00)	260	005	
Brooklyn Delegation	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$22,278.00	260	005	
Brooklyn Delegation	Park Slope Christian Help, Inc.	11-2449994	DYCD	(\$5,000.00)	260	005	
Brooklyn Delegation	Community Help in Park Slope, Inc.	11-2449994	DYCD	\$5,000.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

**CHART 26: Food Pantries Initiative - Fiscal 2015**

<b>Borough</b>	<b>Organization - Program</b>	<b>EIN</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy</b>	<b>U/A</b>	<b>*</b>
Brooklyn Delegation	Bethany House/St. Christopher	11-2777066	DYCD	(\$5,875.00)	260	005	
Brooklyn Delegation	SCO Family of Services	11-2777066	DYCD	\$5,875.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

CHART 27: Purpose of Funds Changes - Fiscal 2017

Source	Member	Organization - Program	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	King	Building 13 Association, Inc.	13-4169405	DYCD	(\$5,000.00)	Funds will be used to support biweekly workshops from April to June 2016 that will foster healthy mental, and emotional well-being for youth participants.	
Local	King	Building 13 Association, Inc.	13-4169405	DYCD	\$5,000.00	Funds will be used to support community based activities from July 2016 to June 30, 2017, including Summer Fun Day and workshops that will foster healthy mental, and emotional well-being for youth participants.	
Youth	Williams	B'nai B'rith Hillel Foundation, Inc. at Brooklyn College	11-6036253	DYCD	(\$2,500.00)	Funds to support after-school programing, twice a week, at the Brooklyn College Hillel for children identified in partnership with NYC DHS. . Specifically, the organization partners with DHS to After-school program for children from the homeless shelter. Activities include a mini day-camp and dinners.	
Youth	Williams	B'nai B'rith Hillel Foundation, Inc. at Brooklyn College	11-6036253	DYCD	\$2,500.00	Funds to support after-school programming, Once a week at the Brooklyn College Hillel for children identified in partnership with NYC DHS. Specifically, the organization partners with DHS to after school programs for children from the homeless shelter.	
Parks Equity Initiative	Rose	City Parks Foundation	13-3561657	DPR	(\$20,000.00)	\$10,000 to support Project A: CPF Its My Park/ Clean-Up Project: Clove Lakes Park/ Friends of Island Trails and Eibs Pond Park/ Friends of Eibs Pond Park. \$10,000 to support Project A: Its My Park/ Clean-Up Project Graniteville Quarry Park/ Friends of Graniteville Quarry, Mariners Harbor Civic Association and Project B: Special Projects for "friends of " groups: Faber Pool and Park: Funds would support La Isla Bonita with purchasing equipment and materials, an honoraria for performers and educators, and outreach for La Isla Bonita Summer Community Arts Festival.	
Parks Equity Initiative	Rose	City Parks Foundation	13-3561657	DPR	\$20,000.00	\$10,000 to support Project A: CPF Its My Park/ Clean-Up Project: Silver Lake Park/ Silver Lake Conservancy and Eibs Pond Park/ Friends of Eibs Pond Park. \$10,000 to support Project A: Its My Park/ Clean-Up Project Graniteville Quarry Park/ Friends of Graniteville Quarry, Mariners Harbor Civic Association and Project B: Special Projects for "friends of " groups: Faber Pool and Park: Funds would support La Isla Bonita with purchasing equipment and materials, an honoraria for performers and educators, and outreach for La Isla Bonita Summer Community Arts Festival.	
Local	Matteo	122nd Precinct Community Council, Inc.	13-3371153	DYCD	(\$2,000.00)	Funds will be used for supplies for National Night Out.	
Local	Matteo	122nd Precinct Community Council, Inc.	13-3371153	DYCD	\$2,000.00	Funds will be used for supplies for National Night Out, Seasonal Events, Youth Explorers and Community Meetings. Supplies will include rentals, rides and marketing material.	
Parks Equity Initiative	Torres	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	Funds will go towards It's My Park/Clean Up Project at (1) Slattery Playground and (2) Ciccarone Park in Council District 15. City Parks Foundation will partner with local non-profit or "Friends of" groups for the events.	
Parks Equity Initiative	Torres	City Parks Foundation	13-3561657	DPR	\$10,000.00	Funds will go towards It's My Park/Clean Up Project (\$5,0000) at Slattery Playground and Belmont BID (\$5,000) for improvements to Ciccarone Park in Council District 15. City Parks Foundation will partner with local non-profit or "Friends of" groups for the events.	

\* Indicates pending completion of pre-qualification review.

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

CHART 28: Purpose of Funds Changes - Fiscal 2016

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Local	Koslowitz	Child Center of New York, Inc., The	11-1733454	DYCD	(\$2,000.00)	Funds to support the Youth Workforce Conference and to sustain our Adolescent Sexual Health Program
Local	Koslowitz	Child Center of New York, Inc., The	11-1733454	DYCD	\$2,000.00	Funds to support Youth Workforce activities
Youth	Lancman	Child Center of New York, Inc., The	11-1733454	DYCD	(\$10,000.00)	Funds will be used to support Parsons Beacon.
Youth	Lancman	Child Center of New York, Inc., The	11-1733454	DYCD	\$10,000.00	Funds to support after-school programming.
Youth	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	(\$5,000.00)	To support community events fostering civic engagement and intergenerational programming.
Youth	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	\$5,000.00	Funds to support youth and adult recreational activities such as baseball, softball, and basketball programming.
Youth	Grodnychik	Child Center of New York, Inc., The	11-1733454	DYCD	(\$10,000.00)	Funds will be used to support the after-school program @ MS 74Q.
Youth	Grodnychik	Child Center of New York, Inc., The	11-1733454	DYCD	\$10,000.00	Funds to support after-school programming at MS 74
Youth	CD28	Child Center of New York, Inc., The	11-1733454	DYCD	(\$25,000.00)	Funds to sustain South Jamaica Clinic which provides Mental Health services, specializes in youth in foster care, and tutoring services. Funds to support after-schools at PS 223 and PS 96. Funds to assist Adolescent Sexual Health program. Funds to uphold Waiver, Home Visiting Program. Funds to endorse Beacon programs at MS72 (with TeenAction Service Learning Program) and MS 226 (with tutoring and WIA job placement program).
Youth	CD28	Child Center of New York, Inc., The	11-1733454	DYCD	\$25,000.00	Funds will be used to support Mental Health programming at South Jamaica.
Youth	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	(\$5,000.00)	To support community events fostering civic engagement and intergenerational programming.
Youth	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	\$5,000.00	Funds to support RBI- Reviving Baseball in Inner Cities programming.
Local	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	(\$5,000.00)	To support community events fostering civic engagement and intergenerational programming.
Local	Richards	Child Center of New York, Inc., The	11-1733454	DYCD	\$5,000.00	Funds to support youth and adult recreational activities such as baseball, softball, and basketball programming.
Speaker's Initiative	Speaker	Chinese-American Planning Council, Inc.	13-6202692	DYCD	(\$15,000.00)	Funds will be used to support a Senior Service Program.
Speaker's Initiative	Speaker	Chinese-American Planning Council, Inc.	13-6202692	DYCD	\$15,000.00	Funds will be used for community events.
Local	Speaker	One Brooklyn Fund, Inc.	46-5189061	DYCD	(\$50,000.00)	Funds would be used for concerts in Brooklyn.
Local	Speaker	One Brooklyn Fund, Inc.	46-5189061	DYCD	\$50,000.00	Funds will be used for concerts in Brooklyn.

\* Indicates pending completion of pre-qualification review.

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

**CHART 29: Beating Hearts Initiative - Fiscal 2017**

<b>Member</b>	<b>Organization</b>	<b>EIN Number</b>	<b>*</b>
Greenfield	Young Men's and Young Women's Hebrew Association of Boro Park, Inc.	11-1630917	
Levine	Franciscan Community Center	13-3806216	
Levine	Hamilton Grange Senior Center	13-2780116	
Levine	Douglass Houses Senior Center	13-6400571	
Levine	Riverstone Senior Center	13-3355074	
Cabrera	Kips Bay Boys & Girls Club	13-1623850	
Cabrera	Church of the Holy Spirit	13-3089351	
Cabrera	Creston Avenue Baptist Church	13-1813811	
Cabrera	Kips Bay Boys & Girls Club	13-1623850	
Cohen	Community Youth Sports and Media Movement	45-3999019	
Cohen	Community Youth Sports and Media Movement	45-3999019	
Maisel	St Columba Roman Catholic Church	11-2220139	
Maisel	All American Boys Club, Inc.	23-7200669	
Maisel	Bergen Beach Youth Organization	11-2598350	
Maisel	St Columba Roman Catholic Church	11-2220139	
Lander	Young Men's and Young Women's Hebrew Association of Boro Park, Inc.	11-1630917	

**\*\*\*Staten Island Heart Society, Inc. has received \$350,000 that will go towards providing automated external defibrillators (AEDs) to non-profit organizations that primarily serve the youth and aging populations. The non-profit organizations are listed above.**

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-498

**Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor in regard to the submittal of the Expense Revenue Contract Budget, for Fiscal Year 2018, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed Budget communication was referred on May 10, 2017, (Minutes, page 1193), and which same communication was coupled with the Expense-Revenue-Contract Budget resolutions shown below, respectfully

**REPORTS:**

*After careful and due deliberation on the matter, this Committee recommends the approval, as modified, of the Expense-Revenue-Contract Budget for Fiscal Year 2018.*

(For full text of [Res No. 1532 with Schedule A attachment and Res No. 1533 with Schedule B attachment](#), please see, respectively, the attachments section to Res No. 1532 & Res No. 1533 on the Council website <http://www.council.nyc.gov>; for the complete digital text of the related 357-page supporting document entitled “[Adjustments Summary / Schedule C](#)” for FY 2018, please also refer to the New York City Council website at <http://www.council.nyc.gov>)

*Accordingly, this Committee recommends the adoption of M-498 & Res No. 1532 & Res No. 1533.*

In connection herewith, Council Member Ferreras-Copeland offered the following two resolutions (Res Nos. 1532 & 1533):

Res. No. 1532

**RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2017 AND ENDING ON JUNE 30, 2018 IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.**

By Council Member Ferreras-Copeland:

**RESOLVED**, That the Council hereby adopts the Proposed Fiscal 2018 Budget, as modified to reflect increases, decreases, additions or omissions of units of appropriation and to reflect additions of terms or conditions related to such appropriations as set forth in the schedules hereto (the Fiscal Year 2018 Budget").

*And be it further Resolved;*

Res. No. 1533

**RESOLUTION TO ADOPT A CONTRACT BUDGET SETTING FORTH, BY AGENCY, CATEGORIES OF CONTRACTUAL SERVICES FOR WHICH APPROPRIATIONS HAD BEEN PROPOSED FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2017 AND ENDING ON JUNE 30, 2018, IN ACCORDANCE WITH THE PROVISIONS OF THE NEW YORK CITY CHARTER.**

By Council Member Ferreras-Copeland:

**RESOLVED**, That the Council hereby adopts the Proposed Fiscal 2018 Contract Budget, as modified to reflect increases, decreases or omissions of such amounts as set forth in the schedules hereto.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-499

**Report of the Committee on Finance in favor of approving, as modified, a Communication from the Mayor in regard to the submittal of the Executive Capital Budget for Fiscal Year 2018, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed Budget communication was referred on May 10, 2017, (Minutes, page 1193), and which same communication was coupled with the Capital Budget resolutions shown below, respectfully

**REPORTS:**

*After careful and due deliberation on the matter, this Committee recommended the approval, as modified, of the Capital Budget for Fiscal Year 2018.*

(For text of [Res A](#) and [Res B](#), please see , respectively, the attachment section to Res No. 1534 and Res No. 1535 on the Council website <http://www.council.nyc.gov>; for the complete digital text of the related 96-page supporting document entitled "[Supporting Detail for Fiscal Year 2018/ Changes to the Executive Capital Budget](#)", please refer to the Office of Management and Budget page on the New York City website at <http://www1.nyc.gov>).

*Accordingly, this Committee recommends the adoption of M-499 & Res No. 1534 & Res No. 1535.*



In connection herewith, Council Member Ferreras-Copeland offered the following two resolutions (Res Nos. 1534 & 1535):

Res. No. 1534

**RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2018 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2018 AND PROGRAM AS SUBMITTED BY THE MAYOR AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES (RESOLUTION A).**

By Council Member Ferreras-Copeland.

**RESOLVED**, By the New York City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2018 and Capital Program, being the Executive Capital Budget for Fiscal Year 2018 and Program as submitted by the Mayor and by the Borough Presidents pursuant to Section 249 of the New York City Charter, including rescindment of amounts from prior Capital Budgets, be and the same are hereby approved in accordance with the following schedule of changes (Resolution A).

*And be it further Resolved;*

Res. No. 1535

**RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2018 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2018 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS (RESOLUTION B).**

By Council Member Ferreras-Copeland.

**RESOLVED**, By the City Council pursuant to Section 254 of the New York City Charter, that the Capital Budget for the Fiscal Year 2018 and Capital Program for the ensuing three years, as set forth in the Executive Capital Budget for Fiscal Year 2018 and Capital Program as submitted by the Mayor as augmented by the Borough Presidents pursuant to Section 249 of the New York City Charter, and amended by the schedule of changes approved under Resolution A, including amounts reallocated by the rescindment of amounts from prior Capital Budget appropriations, is hereby adopted in the total amounts as follows. (Resolution B).

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-500

**REPORT OF THE COMMITTEE ON FINANCE APPROVING THE COMMUNITY DEVELOPMENT BUDGET FOR CITY FISCAL YEAR 2018, THE REALLOCATION OF FORTY-THIRD YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE FORTY-FOURTH COMMUNITY DEVELOPMENT PROGRAM YEAR.**

The Committee on Finance, to which the annexed Budget-related communication was referred on May 10, 2017 (May 10, 2017, page 1193) and which same communication was coupled with the Budget resolution shown below, respectfully

**REPORTS:**

Introduction. The Proposed City Fiscal Year 2018 Community Development Program, Proposed Reallocation of Forty-Third Year Community Development Funds, and Proposed Forty-Fourth Year Community Development Program were submitted by the Mayor to the Council on April 26, 2017 and referred to the Committee on Finance.

Analysis. The Committee on Finance held hearings on the 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup>, and 25<sup>th</sup> of May 2017. The testimony elicited at these hearings regarding the budget as a whole and with respect to specific needs and projects was supplemented by further data developed at the meetings of the Committee on Finance, and from Council staff and representatives of City agencies. The primary concern of the Committee was that the funding contained in the Proposed City Fiscal Year 2018 Community Development Program would meet the actual and perceived needs of the communities the City of New York comprises.

In its deliberations, the Committee on Finance took into consideration the testimony of the citizenry at the public hearings and the information furnished by Council Members, staff assistants, and City agencies.

As a result of the Committee on Finance's deliberation, the Committee recommends the following:

1. A City Fiscal Year 2018 Community Development Program totaling \$304,907,000; and
2. A Reallocated Forty-Third Year Community Development Program totaling \$266,575,000; and
3. A Forty-Fourth Community Development Program totaling \$265,749,000.

The Committee makes this recommendation with the stipulation that the portion of the Forty-Fourth Year Community Development budget, which will be spent in City Fiscal Year 2019 and not City Fiscal Year 2018, will be subject to review and reallocation in the City Fiscal Year 2019 Community Development budget.

**Community Development Block Grant (CDBG)-Additional Funding**

(Dollars in Millions)

<b>COMMUNITY DEVELOPMENT PROGRAM</b>	<b>PROPOSED BUDGET</b>	<b>PROPOSED CHANGES</b>	<b>REVISED BUDGET</b>
City Fiscal Year 2018 Community Development Program Total:	298.483	6.424	304.907
Reallocated Forty-Third Year Community Development Program Total:	266.152	0.423	266.575
Forty-Fourth Year Community Development Program Total:	265.653	0.096	265.749

The proposed changes to the City Fiscal Year 2018 Community Development Program Total are comprised of the addition of \$0.375 for the Met Council Food Pantry, \$5.975 for the Schoolyards to Playgrounds program (see below for program descriptions), and \$.074 for collective bargaining for various programs. The proposed changes to the Reallocated Forty-Third Year Community Development Program Total are for the Met Council Food Pantry and collective bargaining. The proposed change to the Forty-Fourth Year Community Development Program Total is for collective bargaining only.

The Met Council Food Pantry is administered through the Department of Youth and Community Development. Community Development funds will pay for a food distribution program targeting low- and moderate-income residents in New York City. Funds will pay for the administrative staff and for food.

The Schoolyards to Playgrounds program is administered by the Department of Parks and Recreation. Community Development funds will pay for the physical improvements necessary to convert two schoolyard sites to playgrounds, with the goal of keeping them open year-round for public use, after school and on weekends. These funds were originally allocated in CFY 2017 but only \$0.025 was spent of the original \$6.000 allocation.

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

Res. No. 1536

**Resolution approving The City Fiscal Year 2018 Community Development Program, Reallocation of Forty-Third Year Community Development Funds, and the Proposed Forty-Fourth Year Community Development Program.**

By Council Member Ferreras-Copeland.

**Whereas**, The Office of Management and Budget has prepared a Proposed City Fiscal Year 2018 Community Development Program, a Proposed Reallocation of Forty-Third Year Community Development Funds, and a Proposed Forty-Fourth Year Community Development Program; and

**Whereas**, The Proposed City Fiscal Year 2018 Community Development Program, Proposed Reallocation of Forty-Third Year Community Development Funds and Proposed Forty-Fourth Year Community Development Program are provided to the City Council for review and consideration; and

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Community Development Program for City Fiscal Year 2018 in the amount of \$304,907,000, which reflects an increase of \$6,424,000 over the Executive Budget as submitted by the Mayor on April 26, 2017; and be it further

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Reallocation of Forty-Third Year Community Development Funds in the amount of \$266,575,000, which reflects an increase of \$423,000 over the Proposed Forty-Third Year Community Development Budget as submitted by the Mayor on April 26, 2017; and be it further

**Resolved**, That the Council of the City of New York hereby agrees to the Proposed Forty-Fourth Year Community Development Program in the amount of \$265,749,000, which reflects an increase of \$96,000 over the Proposed Forty-Fourth Year Community Development Program as submitted by the Mayor on April 26, 2017; and be it further

**Resolved**, That the Council of the City of New York hereby shall have the opportunity to review the allocation as part of the City Fiscal Year 2018 budget adoption, of that portion of the Forty-Fourth Community Development budget that will be scheduled to be spent in City Fiscal Year 2019 and not City Fiscal Year 2018.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-506

**Report of the Committee on Finance in favor of approving a Communication from the Mayor in regard to submitting the Ten-Year Capital Strategy, Fiscal Year 2018-2027.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017, respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to adopt this supplementary Budget-related item)*

*Accordingly this Committee recommends its adoption.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-519

**Report of the Committee on Finance in favor of approving a Resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2018, adopted June 6, 2017 upon the recommendation of the Committee on Finance of the Council.**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 6, 2017 and which same communication was coupled with the resolution shown below, respectfully

**REPORTS:**

**Introduction.** This Resolution, dated June 6, 2017, provides the amounts necessary for the support of the government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the fiscal year beginning on July 1, 2017 and ending on June 30, 2018 by the levy of taxes on the real property in the city of New York, in accordance with the provisions of the Constitution of the State of New York, the Real Property Tax law and the New York City Charter.

On April 26, 2017, the Mayor submitted the executive budget for Fiscal 2018 to the Council pursuant to Section 249 of the Charter. On the date hereof, the Council adopted the budget for Fiscal 2018 pursuant to Section 254 of the Charter (the "Fiscal 2018 Budget"). Pursuant to Section 1516 of the Charter, the Council must fix the annual real property tax rates immediately upon such approval of the Fiscal 2018 Budget. In the resolution, captioned above, fixing the real property tax rates for Fiscal 2018 (the "Tax Fixing Resolution"), the Council fixes the annual real property tax rates, as described in greater detail below, and authorizes the levy of real property taxes for Fiscal 2018.

**Determining the Amount of the Real Property Tax Levy.** In the Tax Fixing Resolution, the Council determines the amount of the real property tax levy for Fiscal 2018, pursuant to the provisions of Section 1516 of the Charter, in the following manner. (1) First, the Council acknowledges the amount of the Fiscal 2018 Budget to be \$85,238,681,837 as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2018 Budget Amount"). (2) The Council then acknowledges the estimate of the probable amount of all non-property tax revenues to be \$59,426,668,837, as set forth in the communication from the Mayor pursuant to Section 1515(a) of the Charter (the "Fiscal 2018 Revenue Estimate"). (Attached hereto as Exhibit A is a description of the Fiscal 2018 Revenue Estimate, detailing all sources of revenues exclusive of real property taxes.) (3) Pursuant to Section 1516 of the Charter, the Council finally determines the net amount required to be raised by tax on real property to be \$25,812,013,000, by subtracting the amount of the Fiscal 2018 Revenue Estimate from the Fiscal 2018 Budget Amount.

In order to achieve a real property tax yield of \$25,812,013,000, however, due to provision for uncollectible taxes and refunds and collection of levies from prior years equal in the aggregate to \$1,914,142,959, the Council determines that a real property tax levy of \$27,726,155,959 is required. Such amount, levied at rates on the classes of real property as further described below will produce a balanced budget within generally accepted accounting principles for municipalities.

The Council also provides for the application of the real property tax levy (net of provision for uncollectible taxes and refunds and collection of levies from prior years) to (1) debt service not subject to the constitutional operating limit, (2) debt service subject to the constitutional operating limit and (3) the Fiscal 2018 Budget in excess of the amount of the Fiscal 2018 Revenue Estimate.

**Authorizing and Fixing the Real Property Tax Rates.** After having determined the amount of the real property tax levy, the Council authorizes and fixes the real property tax rates. On May 25, 2017, the Commissioner of the Department of Finance (the "Commissioner") delivered the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2018 to the Council, pursuant to Section 1514 of the Charter (the "Fiscal 2018 Assessment Rolls"). On June 6, 2017 the Council adopted a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2017 (the "Current Base Proportion Resolution"), pursuant to Section 1803-a (1) of the Real Property Tax Law. On June 6, 2017, pursuant to Section 1803-a of the Real Property Tax Law, the Council adopted a resolution in which the Council adjusted the current base proportions of each class of real property in the City for Fiscal 2018, to reflect the additions to, and full or partial removal from, the Fiscal 2018 Assessment Rolls (the "Adjusted Base Proportion Resolution").

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

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

*Compliance with Constitutional Operating Limit Provisions.* In the Tax Fixing Resolution, the Council also provides evidence of compliance with constitutional operating limit provisions. The Council determines that the amount to be levied by tax on real property for the Fiscal 2018 Budget does not exceed the limit imposed by Section 10, Article VIII of the Constitution of the State of New York, as amended, and Article 12-A of the Real Property Tax Law (the "Operating Limit Provisions"). The Operating Limit Provisions require that the City not levy taxes on real property in any fiscal year in excess of an amount equal to a combined total of two and one-half percent (2 1/2%) of the average full valuation of taxable real property in the City, determined by taking the assessed valuations of taxable real property on the last completed assessment roll and the four (4) preceding assessment rolls of the City and applying thereto the special equalization ratio which such assessed valuations of each such roll bear to the full valuations as fixed and determined by the State Office of Real Property Services ("ORPS"), minus (i) the amount to be raised by tax on real property in such year for the payment of the interest on and the redemption of certificates of other evidence of indebtedness described in the Constitution and (ii) the aggregate amount of business improvement district charges exclusive of debt service. (Attached hereto as Exhibit B is a description of net reductions of the amounts to be raised by the Fiscal 2018 tax levy as authorized by New York State law for purposes of the Operating Limit determination.)

*Adjusted Base Proportions.* The Tax Fixing Resolution sets forth the adjusted base proportions for Fiscal 2018, pursuant to the Adjusted Base Proportion Resolution, to be used in determining the Fiscal 2018 tax rates for the four classes of properties.

*Tax Rates on Adjusted Base Proportions.* Finally, in the Tax Fixing Resolution, the Council authorizes and fixes, pursuant to Section 1516 of the Charter, the rates of tax for Fiscal 2018 by class upon: (1) each dollar of assessed valuation of real property subject to taxation for all purposes of, and within, the City, as fixed in cents and thousandths of a cent per dollar of assessed valuation, as follows:

All One-, Two- and Three-Family Residential Real Property .....	0.21289
All Other Residential Real Property .....	0.12729
Utility Real Property .....	0.11128
All Other Real Property .....	0.10442

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

All One-, Two- and Three-Family Residential Real Property .....	0.12395
All Other Residential Real Property .....	0.07432
Utility Real Property .....	0.06502
All Other Real Property .....	0.06101

Authorization of the Levy of Property Taxes for Fiscal 2018. The Council authorizes and directs the Commissioner, pursuant to Section 1517 of the Charter, to set down in the Fiscal 2018 Assessment Rolls, opposite to the several sums set down as the valuation of real property, the respective sums to be paid as a tax thereon and add and set down the aggregate valuations of real property in the boroughs of the City and send a certificate of such aggregate valuation in each such borough to the State Comptroller. The Tax Fixing Resolution then requires the City Clerk to procure the proper warrants, in the form attached thereto, such warrants to be signed by the Public Advocate and countersigned by the City Clerk.

The Tax Fixing Resolution would take effect as of the date of adoption of the Fiscal 2018 Budget.

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

**Exhibit A**

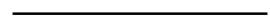
**ESTIMATED FISCAL YEAR 2018 REVENUE  
OTHER THAN REAL PROPERTY TAXES  
Summarizing by Source of Revenue**

Source of Revenue	Estimate of Revenue
Taxes (excluding Real Estate Taxes):	
General Sales (1) .....	\$ 7,319,000,000
Personal Income .....	11,841,000,000
General Corporation.....	3,890,000,000
Commercial Rent .....	848,000,000
Utility.....	382,000,000
Banking Corporation.....	0
Mortgage Recording .....	934,000,000
Unincorporated Business.....	2,137,000,000
Real Property Transfer.....	1,364,000,000
Cigarette.....	42,000,000
Hotel Occupancy.....	570,000,000
Other:	
Penalty and Interest.....	54,000,000
Off-Track Betting.....	.0
Off-Track Betting Surtax .....	1,220,000
Payments in Lieu of Tax.....	397,200,000
Section 1127 (Waiver) .....	156,000,000
Beer and Liquor.....	25,000,000
Auto Use.....	29,000,000
Commercial Motor Vehicle.....	60,000,000
Taxicab License Surcharge.....	200,000
Liquor License Surcharge.....	6,000,000
Horse Race Admissions.....	50,000
Other Refunds.....	(33,000,000)
Medical Marijuana Excise Tax.....	<u>80,000</u>
State Tax Relief Program ("STAR") for Personal Income and Real Property Taxes.....	<u>202,000,000</u>
	<u>\$ 30,224,750,000</u>



Miscellaneous Revenue:

Licenses, Franchises, etc... ..	674,160,000
Interest Income... ..	109,750,000
Charges for Services... ..	989,368,610
Water and Sewer Charges... ..	1,401,676,000
Rental Income... ..	250,965,000
Fines and Forfeitures... ..	913,925,000
Miscellaneous ... ..	<u>333,001,008</u>
	\$ 4,672,845,618



**Exhibit A**

**ESTIMATED FISCAL YEAR 2018 REVENUE OTHER THAN  
REAL PROPERTY TAXES  
Summarizing by Source of Revenue**

Source of Revenue	Estimate of Revenue
Grants:	
Federal... ..	\$7,811,106,073
State... ..	14,419,098,702
Provision for Disallowances... ..	(15,000,000)
	<u>22,215,204,775</u>
Unrestricted State and Federal Aid:	
N.Y. State Revenue Sharing... ..	0
Other Unrestricted Aid... ..	0
	<u>0</u>
Transfer from Capital Funds... ..	<u>670,209,156</u>
Tax Audit Revenue and Other Initiatives... ..	<u>850,000,000</u>
Tax Program... ..	<u>(86,600,000)</u>
Other Categorical Grants... ..	<u>880,259,288</u>
Amount of Estimated Revenue other than Real Estate Taxes... ..	<u>\$ .59,426,668,837</u>

**FOOTNOTES**

(1) Fiscal 2018 administrative expenses of the New York State Financial Control Board ("FCB") and the Office of the State Deputy Comptroller ("OSDC"), the "State Oversight Retention Requirements", have been treated only for accounting and financial reporting purposes of the City as if they were City expenditures. Consequently, the above estimates of General Fund receipts for Fiscal 2017 do not reflect anticipated reductions in amounts to be received by the City from the four and a half percent sales tax levied in the City (the "City Sales tax") pursuant to State Oversight Retention Requirements. In fact, the State Oversight Retention Requirements are to be retained by the State from the City Sales Tax and will therefore reduce the funds which are paid to the City from the City Sales Tax. This presentation of State Oversight Retention Requirements (instead of being shown as a reduction in City Sales Tax) has no bearing on the statutory relationship between the City, on the one hand, and the FCB and OSDC, on the other hand.

**Exhibit B**

**PROPERTY TAX ITEMS IN THE RESERVE CONSIDERED OFFSETS TO LEVY  
FOR PURPOSES OF CONSTITUTIONAL OPERATING LIMIT PROVISIONS**

---

\* Although the STAR exemption is authorized by State law and treated as an abatement and included in the property tax reserve, the State reimburses the City for the exact amount of the abatement. However, this is an Expense item and accounted for as a separate allocation of funds.

*Source: NY City Office of Management and Budget, FY 2018 Adopted Budget*

FISCAL 2018 RESERVE ESTIMATES

<b>Reserve Item</b>	<b>Estimate</b> <i>(in millions)</i>
<hr/> <b>Property Tax Reductions (Tax Expenditures) Authorized by State Law</b> <hr/>	
Coop/Condo Abatement.....	(\$518.0)
STAR Exemption* .....	(202.0)
J-51 .....	(122.0)
SCRIE/DRIE .....	(187.6)
Commercial Revitalization Program & Borough Development ...(71.1)	
Section 626 .....	(19.0)
ICAP Abatement .....	(34.0)
Solar/Green Roof Abatement.....	(2.5)
<hr/> <b>Property Tax Additions (Tax Programs) Authorized by State Law</b> <hr/>	
Exempt Property Restored .....	
 TOTAL .....	 <b><u>(\$1,121.0)</u></b>

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

Res. No. 1537

**RESOLUTION TO PROVIDE THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2017 AND ENDING ON JUNE 30, 2018, BY THE LEVY OF TAXES ON THE REAL PROPERTY IN THE CITY OF NEW YORK, IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF NEW YORK, THE REAL PROPERTY TAX LAW AND THE NEW YORK CITY CHARTER**

By Council Member Ferreras-Copeland.

(For text of the Tax-Fixing Resolution [Res No. 1537 of 2017](#), please see the New York City Council website at <http://council.nyc.gov> and search for the item in the legislative research section)

JULISSA FERRERAS-COPELAND, Chairperson; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-515

**Report of the Committee on Finance in favor of a Communication from the New York City Banking Commission regarding transmitting recommendations of the interest rate to be charged for Fiscal Year 2018 for non-payment of taxes on real estate and for the discount rate to be allowed for early payment of real estate taxes for Fiscal Year 2018, pursuant to the City Charter.**

The Committee on Finance, to which the annexed preconsidered communication was referred on June 6, 2017, respectfully

**REPORTS:**

(For text of related reports, please see, respectively, the Reports of the Committee on Finance for Res Nos. 1523, 1524 1525, 1526, and 1527 printed below in these Minutes).

*Accordingly, this Committee recommends its adoption.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK

LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1523

**Report of the Committee on Finance in favor of a Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**(For text of related reports, please see, respectively, the Reports of the Committee on Finance for M-515, Res Nos. 1524, 1525, 1526, and 1527 printed in these Minutes).**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1523:)**

Preconsidered Res. No. 1523

**Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to Section 1519-a(7)(b) of the New York City Charter (Charter), the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May, the proposed discount percentage allowed for early payment of real estate taxes; and

**Whereas**, Section 1519-a(7)(c) of the Charter provides that the Council may adopt a discount percentage for early payment of real estate taxes no earlier than the 14th day of May; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the discount percentage for early payment of real estate taxes for Fiscal Year 2018 be set at one-half of one percent (0.5%) per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1524

**Report of the Committee on Finance in favor of a Resolution to establish that the interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**(For text of related reports, please see, respectively, the Reports of the Committee on Finance for M-515, Res Nos. 1523, 1525, 1526, and 1527 printed in these Minutes).**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1524:)**

Preconsidered Res. No. 1524

**Resolution to establish that the interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four percent (4%), as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, By letter dated May 12, 2017, the Banking Commission recommended to the Council an interest rate of six percent (6%) per annum for Fiscal Year 2018 to be charged for the non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Council determines that an interest rate of six percent (6%) per annum for Fiscal Year 2018 should be charged for the non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1525

**Report of the Committee on Finance in favor of a Resolution to establish that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**(For text of related reports, please see, respectively, the Reports of the Committee on Finance for M-515, Res Nos. 1523, 1524, 1526, and 1527 printed in these Minutes).**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1525:)**

Preconsidered Res. No. 1525

**Resolution to establish that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate of at least six percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four percent (4%), as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all large taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments, be eighteen percent (18%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over 250,000, or over \$250,000 per residential unit for cooperative apartments.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1526

**Report of the Committee on Finance in favor of a Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**(For text of related reports, please see, respectively, the Reports of the Committee on Finance for M-515, Res Nos. 1523, 1524, 1525, and 1527 printed in these Minutes).**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1526:)**

Preconsidered Res. No. 1526

**Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.



**Whereas**, Sections 11-312 and 11-313 of the Administrative Code of the City of New York (Administrative Code) establish that the Council of the City of New York (Council) may adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1; and

**Whereas**, Section 11-224.1 of the Administrative Code requires the Banking Commission to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"), to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four (4%) percent, as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, be six percent (6%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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. 1527

**Report of the Committee on Finance in favor of a Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

**REPORTS:**

**(For text of related reports, please see, respectively, the Reports of the Committee on Finance for M-515, Res Nos. 1523, 1524, 1525, and 1526 printed in these Minutes).**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1527:)**

## Preconsidered Res. No. 1527

**Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Sections 11-312 and 11-313 of the Administrative Code of the City of New York (Administrative Code) establish that the Council of the City of New York (Council) may adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1 of the Administrative Code; and

**Whereas**, Section 11-224.1 of the Administrative Code requires the Banking Commission to propose a rate at least six percent (6%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"), to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000, or more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four (4%) percent, as published by the Board of Governors of the Federal Reserve System;

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments, be eighteen percent (18%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 LU No. 674

**Report of the Committee on Finance in favor of a Resolution approving 140-26 Franklin Ave., Block 5182, Lot 9; Queens, Community District No. 7, Council District No. 20.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 6, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

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

June 6, 2017

TO: Hon. Julissa Ferreras-Copeland  
Chair, Finance Committee  
Members of the Finance Committee

FROM: Eric Bernstein, Counsel, Finance Division

RE: Finance Committee Agenda of June 6, 2017 - Resolution approving a tax exemption for three Land Use items (Council Districts 8, 20, and 42)

**Item 1: 569 Prospect Avenue**

569 Prospect (the project) is a 45-unit new construction project being supported by the Neighborhood Construction Program (NCP). This is a privately owned site. The developer is Baez Hughes Development Corporation. The project will have two tiers of affordability: 16 units at 70% AMI and 28 units at 90% AMI. Fifteen percent of the units will be permanently affordable, and the remaining units will be affordable for 40 years. The project will also include 16 parking spaces, approximately 7,000 sq. ft. of commercial space, and 1,180 sq. ft. of community facility space.

**Summary:**

- Borough – Bronx
- Block 2674, Lot 9
- Council District – 8
- Council Member – Mark-Viverito
- Council Member approval – Yes
- Number of buildings – 1
- Number of units –45 units
- Type of Exemption-Article XI Tax Exemption, Partial, 40-year term
- Population – low income rental households
- Sponsor – Baez Hughes Development Corporation
- Purpose – New construction
- Cost to the City –
  - NPV of Exemption Benefits: \$3.4M (\$76,092/unit)
- Housing Code Violations-N/A
- Anticipated AMI targets:

<b>Unit Type</b>	<b>70% AMI</b>	<b>90% AMI</b>
studio	0	0
One-Bedrooms	1	10
Two-Bedrooms	13	14
Three-Bedrooms	2	4

**Item 2: 140-26 Franklin Avenue**

140-26 Franklin Avenue (the project), located in Flushing, Queens, was developed in 2001 under the New York City Housing Development Corporation (HDC)'s New Housing Opportunities Program (New HOP). The project consists of 54 residential units and 28 parking spaces. Residential space is made up of 13 studio apartments, 29 one-bedroom apartments and 12 two-bedroom apartments.

The project, otherwise known as The Benjamin, was developed from the ground up on a vacant parcel that was purchased from The Brooklyn Conservatory of Music. The Benjamin was one of the first projects developed under the New HOP initiative and received a \$5.19 million first mortgage, a \$261k supplemental first mortgage and a \$1.415 million subordinate loan, all from HDC. Total development cost of the project was approximately \$8,232,000.

Under the New HOP initiative, all units in the newly constructed building are typically required to be affordable to "middle income" households earning up to 130% of AMI. As this was one of the first New HOP projects, rents and household income were restricted at up to 250% of AMI. Although the project could be rented to those earning as much as 250% of AMI, the blended AMI of the project is 109% of AMI.

This project is currently subject to rent stabilization restrictions, and an HDC regulatory agreement. Furthermore, 140-26 Franklin Avenue holds a 421-a tax exemption that will be replaced by the proposed Article XI benefits.

**Summary:**

- Borough – Queens
- Block 5182, Lot 9
- Council District – 20
- Council Member – Koo
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 54 units
- Type of Exemption-Article XI Tax Exemption, Partial, 40-year term
- Population – middle-income rental households
- Sponsor – The Bluestone Organization
- Purpose – preservation
- Cost to the City –
  - NPV of Exemption Benefits: \$3.85M (\$71,355/unit)
- Housing Code Violations-
  - Class A: 0
  - Class B: 0
  - Class C: 0
- Anticipated AMI targets: 120% AMI

**Item 3: Sutter Gardens**

Sutter Gardens (the "project" or the "property") is comprised of ten multiple dwellings consisting of 259 units, which includes one superintendent's unit. The project provides rental housing for low-income individuals and families. The project is owned by Sutter Gardens Associates, L.P. ("Company"), a redevelopment company formed pursuant to Article V of the Private Housing Finance Law ("PHFL").

The Board of Estimate approved a resolution on April 1, 1982 (Cal. No. 30) providing for a tax exemption for the Exemption Area pursuant to PHFL Section 125(1)(a) (“Original Exemption”). The Original Exemption, which will expire on December 21, 2023, requires a 10% of the annual shelter rent tax, plus an additional amount equal to 25% of the amount by which the rent is increased by the United States Department of Housing and Urban Development (HUD) pursuant to a Housing Assistance Payments (HAP) contract. The HAP contract provides project based Section 8 rental subsidy for all of the units.

In order to refinance, the Company is requesting an extension of the exemption for 40 years. The owner will enter into a 20-year restrictive agreement requiring that it remain an Article V.

Summary:

- Borough – Brooklyn
- Block 4027, Lot 1; Block 4043, Lot 1; Block 4044, Lot 1
- Council District – 42
- Council Member – Barron
- Council Member approval – Yes
- Number of buildings – 10
- Number of units – 259 units, including one superintendent’s unit
- Type of Exemption-Article V Tax Exemption, Partial, 40-year term
- Population – low-income rental households
- Sponsor – Sutter Gardens Associates, L.P.
- Purpose – preservation
- Cost to the City – \$2.26M (NPV) (\$8,771/unit)
- Housing Code Violations-
  - Class A: 27
  - Class B: 67
  - Class C: 8
- Anticipated AMI targets: 50% AMI

**(For text of the coupled resolutions for LU No. 675 and 676, please see the Report of the Committee on Finance for LU No. 675 and 676 printed, respectively, in these Minutes; for the coupled resolution for LU No. 674, please see below:)**

*Accordingly, this Committee recommends the adoption of LU Nos. 674, 675, and 676.*

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

Res. No. 1538

**Resolution approving an exemption from real property taxes for property located at (Block 5182, Lot 9) Queens, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 674).**

By Council Member Ferreras-Copeland.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 15, 2017 that the Council take the following action regarding a housing project located at (Block 5182, Lot 9) Queens (“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 Franklin Avenue Realty Co., LLC.
  - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (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 Queens, City and State of New York, identified as Block 5182, Lot 9 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 forty (40) 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. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - f. “Gross Rent Tax” shall mean an amount equal to nine percent (9%) of Gross Rent in the tax year in which such real property tax payment is made.
  - g. “HDFC” shall mean Franklin Avenue Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - i. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.

- j. “Owner” shall mean, collectively, the HDFC and the Company.
  - k. “Prior Exemption” shall mean any tax benefits for the Exemption Area pursuant to Section 421-a of the Real Property Tax Law.
  - l. “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.
2. The Prior Exemption shall terminate upon the Effective Date.
  3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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 Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation 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 at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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, the Owner, or any past owner 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.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 LU No. 675

**Report of the Committee on Finance in favor of a Resolution approving Sutter Gardens, Block 4027, Lot 1, Block 4043, Lot 1, Block 4044, Lot 1; Brooklyn, Community District No. 5, Council District No. 42.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 6, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for LU No. 674 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 1539

**Resolution approving a partial exemption from real property taxes for property located at (Block 4027, Lot 1; Block 4043, Lot 1; and Block 4044, Lot 1) Brooklyn, pursuant to Section 125 of the Private Housing Finance Law (Preconsidered L.U. 675).**

By Council Member Ferreras-Copland.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council its request dated May 3, 2017 that the Council take the following action regarding a housing project located at (Block 4027, Lot 1; Block 4043, Lot 1; and Block 4044, Lot 1) Brooklyn ("Exemption Area"):

Approve an additional period of tax exemption for the Project pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (the "Tax Exemption");

**WHEREAS**, the project description that HPD provided to the Council states that the owner of the Project (the "Company") is a duly organized redevelopment company under Article V of the Private Housing Finance Law;



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

**RESOLVED:** The Council hereby approves, pursuant to PHFL Section 125(1)(a-3), an additional period of tax exemption as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. "Company" shall mean Sutter Gardens Associates, L.P.
  - b. "Effective Date" shall mean the later of (a) December 21, 2023, or (b) the date that the Company and HPD enter into the Restrictive Agreement.
  - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - d. "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4027, Lot 1, Block 4043, Lot 1 and Block 4044, Lot 1 on the Tax Map of the City of New York.
  - e. "Expiration Date" shall mean the earlier to occur of (i) December 21, 2063, (ii) the date of the expiration or termination of the Regulatory Agreement, (iii) the date upon which the Exemption Area ceases to be owned by the Owner or, with the prior written approval of HPD, another redevelopment company organized pursuant to Article V of the Private Housing Finance Law, (iv) the date upon which the City terminates the partial tax exemption pursuant to the terms of the Regulatory Agreement, or (v) the date of the expiration or termination of the Exemption Area's Section 8 Housing Assistance Payments Contract.
  - f. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
  - g. "Owner" shall mean the Company or, with the prior written approval of HPD, any future owner of the Exemption Area that is a redevelopment company organized pursuant to Article V of the Private Housing Finance Law.
  - h. "Regulatory Agreement" shall mean the Redevelopment Agreement dated April 1, 1982 between the City of New York and the Owner, establishing certain controls upon the operation of the Exemption Area in accordance with Private Housing Finance Law Section 114.
  - i. "Restrictive Agreement" shall mean an agreement between HPD and the Company that is entered into on or after January 1, 2017 and that requires the Exemption Area to remain a redevelopment company development organized under and operated pursuant to Article V of the Private Housing Finance Law for a period of twenty years from the date of execution.
2. All of the value of the property in the Exemption Area, including both the land and any improvements, 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.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the (i) the amount of taxes due in the year immediately prior to the Effective Date, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area 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 were authorized on the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.
4. Notwithstanding any provision hereof to the contrary:
  - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article V 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 the Restrictive Agreement, (iv) 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, (v) the Exemption Area is conveyed to a new owner without the prior written consent of HPD, or (vi) the construction or 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 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 Exemption shall prospectively terminate.

- b. Nothing herein shall entitle the Company to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 LU No. 676

**Report of the Committee on Finance in favor of a Resolution approving 569 Prospect Avenue, Block 2674, Lot 9; Bronx, Community District No. 1, Council District No. 8.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 6, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for LU No. 674 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

## Res. No. 1540

**Resolution approving an exemption from real property taxes for property located at (Block 2674, Lot 9) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 676).**

By Council Member Ferreras-Copeland.

**WHEREAS**, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 26, 2017 that the Council take the following action regarding a housing project located at (Block 2674, Lot 9) 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 Valdesia Gardens LLC.
  - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2674, Lot 9 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) 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.
  - f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).

- g. “Gross Rent Tax” shall mean an amount equal to (i) seventy-five hundredths of one percent (0.75%) of the Gross Rent in the tax year in which such real property tax payment is made for years 6 through 35 of the Exemption and (ii) one and three-tenths percent (1.30%) of the Gross Rent in the tax year in which such real property tax payment is made for years 36 through 40 of the Exemption.
  - h. “HDFC” shall mean Valdesia Gardens Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “Owner” shall mean, collectively, the HDFC and the Company.
  - k. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
3. Commencing upon the sixth anniversary of the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.
4. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
  - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that has a permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.

- c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- 5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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.

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

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 M-467

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Expense Budget for Fiscal Year 2018, pursuant to Sections 225 and 236 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 196), respectfully

#### **REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

#### Report for M-468

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the January 2017 Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2017-2021, pursuant to Sections 101 and 213 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 196), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-469

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Geographic Reports for Expense Budget for Fiscal Year 2018, pursuant to Sections 100 and 231 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 196), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-470

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2018, pursuant to Sections 100, 212 and 231 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 196), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-471

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the Preliminary Contract Budget Report for Fiscal Year 2018, pursuant to Section 104 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 197), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-472

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the Preliminary Capital Budget, Fiscal Year 2018, pursuant to Section 213 and 236 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 197), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-473

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Capital Commitment Plan, Fiscal Year 2018, Volumes 1, 2, 3, & 4 and the Capital Commitment Plan, Financial Summary, pursuant to Section 219 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 197), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-474

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Preliminary Ten-Year Capital Strategy, Fiscal Years 2018-2027.**

The Committee on Finance, to which the annexed communication was referred on February 1, 2017 (Minutes, page 197), respectfully



**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-501

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget Supporting Schedules, for Fiscal Year 2018 pursuant to Section 250 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017 (Minutes, page 1194), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-502

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Capital Commitment Plan, Executive Budget, Fiscal Year 2018, Volumes I, II, III and IV, pursuant to Section 219(d) of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017 (Minutes, page 1194), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-503

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2018.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017 (Minutes, page 1194), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-504

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Executive Capital Budget Fiscal Year 2018, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 26, 2017 pursuant to the provisions of Sections 213 (4) & 219 (D) of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017 (Minutes, page 1194), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

Report for M-505

**Report of the Committee on Finance in favor of filing a Communication from the Mayor regarding the submittal of the Budget Summary, Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2018, pursuant to Section 249 of the New York City Charter.**

The Committee on Finance, to which the annexed communication was referred on May 10, 2017 (Minutes, page 1195), respectfully

**REPORTS:**

*(With the Budget for Fiscal Year 2018 expected to be adopted at the June 6, 2017 Stated Meeting, this Committee has decided to file this supplementary Budget-related item and thereby remove it from the Council's legislative calendar)*

*Accordingly this Committee recommends its filing.*

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, June 6, 2017. *Other Council Members Attending: Council Members Torres.*

Coupled to be Filed.

**Report of the Committee on Land Use**

Report for L.U. No. 631

**Report of the Committee on Land Use in favor of approving Application No. 20175315 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Enterprises, Inc., d/b/a Pat'e Palo, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 251 Dyckman Street, Borough of Manhattan, Community Board 12, Council District 10. 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 May 10, 2017 (Minutes, page 1345) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 12**

**20175420 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Enterprises, Inc., d/b/a Pat'e Palo, for renewal of a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 251 Dyckman Street.

**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:** May 30, 2017

**Witnesses in Favor:** None

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

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

**In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1541

**Resolution approving the petition for renewal of a revocable consent for an unenclosed sidewalk café located at 251 Dyckman Street, Borough of Manhattan (20175420 TCM; L.U. No. 631).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on April 20, 2017 its approval dated April 19, 2017 of the petition of Vida Enterprises, Inc., d/b/a Pat'e Palo, for renewal of a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 251 Dyckman Street, Community District 12, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on May 30, 2017; 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 New York City Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 632

**Report of the Committee on Land Use in favor of approving Application No. 20175235 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Phillipos Restaurant Inc., d/b/a Barking Dog, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1678 3rd Avenue, Borough of Manhattan, Community Board 8, Council District 5. 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 May 10, 2017 (Minutes, page 1345) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****MANHATTAN CB - 8****20175235 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Phillipos Restaurant, Inc., d/b/a Barking Dog, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1678 Third Avenue.

**INTENT**

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

**PUBLIC HEARING****DATE:** May 30, 2017**Witnesses in Favor:** None**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

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

**In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

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

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

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

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

Res. No. 1542

**Resolution approving the petition for a new revocable consent for an unenclosed sidewalk café located at 1678 Third Avenue, Borough of Manhattan (20175235 TCM; L.U. No. 632).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on April 20, 2017 its approval dated April 19, 2017 of the petition of Phillipos Restaurant, Inc., d/b/a Barking Dog, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1678 Third Avenue, Community District 8, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on May 30, 2017; 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 New York City Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 635

**Report of the Committee on Land Use in favor of approving Application No. N 160282 ZRK submitted by Kent/Greenpoint, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn) Borough of Brooklyn, Community Board 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 10, 2017 (Minutes, page 1345), respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 1**

**N 160282 ZRK**

City Planning Commission decision approving an application submitted by Kent/Greenpoint, 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 Section 62-35 (Special Bulk Regulations in Certain Areas within Community District 1, Brooklyn).

**INTENT**

To approve an amendment to the Zoning Resolution which would allow a proposed mixed-use development to have its massing and legally required windows oriented toward an adjacent park. This text amendment would apply to Parcel 12b within the Waterfront Access Plan BK-1 in Section 62-931 within Community District 1, Brooklyn

**PUBLIC HEARING**

**DATE:** May 16, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** Six

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

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

**In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.



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

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 643

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. C 150235 ZMK submitted by 251 Front Street Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d, changing from an R6B District to an R6A District property located on Gold Street between Front Street and Water Street, Borough of Brooklyn, Community Board 2, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1630) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 2**

**C 150235 ZMK**

City Planning Commission decision approving an application submitted by 251 Front Street Realty Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d, changing from an R6B District to an R7A District property bounded by Water Street, Gold

Street, Front Street, and a line 100 feet westerly of Gold Street, as shown on a diagram (for illustrative purposes only) dated December 12, 2016, and subject to the conditions of CEQR Declaration E-404.

## **PUBLIC HEARING**

**DATE:** May 16, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** None

Subsequent to the public hearing, by letter dated June 5, 2017 and submitted to the Council on June 5, 2017 the applicant withdrew the application.

## **SUBCOMMITTEE RECOMMENDATION**

**DATE:** June 5, 2017

The Subcommittee recommends that the Land Use Committee approve the motion

**to file pursuant to withdrawal of the application.**

### **In Favor:**

Richards, Garodnick, Williams, Wills, Torres.

### **Against:**

None

### **Abstain:**

None

## **COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

### **In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

### **Against:**

None

### **Abstain:**

None

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

Res. No. 1543

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on Application ULURP No. C 150235 ZMK, a Zoning Map amendment (L.U. No. 643).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on May 12, 2017 its decision dated May 10, 2017 (the "Decision"), on the application submitted by 251 Front Street Realty, Inc., pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 12d, which in conjunction with the related action would facilitate the development of a nine-story residential building with 92 dwelling units, including 23 permanently affordable units, in the Vinegar Hill neighborhood of Brooklyn within Community District 2, (ULURP No. C 150235 ZMK), Community District 2, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application N 150234 ZRK (L.U. No. 644), a zoning text amendment to designate a Mandatory Inclusionary Housing area;

**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 May 16, 2017;

**WHEREAS**, by submission dated June 5, 2017 and submitted to the City Planning Commission and the City Council on June 5, 2017 the applicant withdrew the application.

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

Coupled to be Filed Pursuant to Letter of Withdrawal.

Report for L.U. No. 644

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, Application No. N 150234 ZRK submitted by 251 Front Street Realty Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area on property located on Gold Street between Front Street and Water Street, Borough of Brooklyn, Community Board 2, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1631) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****BROOKLYN CB - 2****N 150234 ZRK**

City Planning Commission decision approving an application submitted by 251 Front Street Realty Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

**PUBLIC HEARING****DATE:** May 16, 2017**Witnesses in Favor:** Three**Witnesses Against:** None

Subsequent to the public hearing, by letter dated June 5, 2017 and submitted to the Council on June 5, 2017 the applicant withdrew the application.

**SUBCOMMITTEE RECOMMENDATION****DATE:** June 5, 2017

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

**In Favor:**

Richards, Garodnick, Williams, Wills, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1544

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on Application No. N 150234 ZRK, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, in Community District 2, Borough of Brooklyn (L.U. No. 644).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on May 12, 2017 its decision dated May 10, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 251 Front Street Realty, Inc., for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Brooklyn Community District 2. This text amendment in conjunction with the related zoning map amendment would facilitate development of a nine-story residential building with 92 dwelling units, including 23 permanently affordable units, in the Vinegar Hill neighborhood of Brooklyn within Community District 2, (Application No. N 150234 ZRK), Community District 2, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application C 150235 ZMK (L.U. No. 643), an amendment to the Zoning Map to change an R6B District to an R6A District;

**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 May 16, 2017;

**WHEREAS**, by submission dated June 5, 2017 and submitted to the City Planning Commission and the City Council on June 5, 2017 the applicant withdrew the application.

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

Coupled to be Filed Pursuant to Letter of Withdrawal.

Report for L.U. No. 647

**Report of the Committee on Land Use in favor of approving Application No. 20175286 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Pret A Manger USA for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1 Astor Place, Borough of Manhattan, Community Board 2, Council**

**District 2. 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 May 24, 2017 (Minutes, page 1631) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 2**

**20175286 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Pret A Manger USA Limited, d/b/a Pret A Manger, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1 Astor Place.

**INTENT**

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

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** None

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

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

**In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1545

**Resolution approving the petition for a new revocable consent for an unenclosed sidewalk café located at 1 Astor Place, Borough of Manhattan (20175286 TCM; L.U. No. 647).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on May 5, 2017 its approval dated May 5, 2017 of the petition of Pret A Manger USA Limited, d/b/a Pret A Manger, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 1 Astor Place, Community District 2, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on May 30, 2017; 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 New York City Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 648

**Report of the Committee on Land Use in favor of approving Application No. 20175360 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of El**

**Sayed 1 Corp, d/b/a Horus Kabob House for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 93 Avenue B, Borough of Manhattan, Community Board 3, Council District 2. 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 May 24, 2017 (Minutes, page 1632) and which same Land Use item was coupled with the resolution shown below, respectfully

### **REPORTS:**

#### **SUBJECT**

**MANHATTAN CB - 3**

**20175360 TCM**

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of El Sayed 1 Corp, d/b/a Horus Kabab House, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 93 Avenue B.

#### **INTENT**

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

#### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** Two

**Witnesses Against:** Two

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

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

#### **In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

#### **Against:**

None

#### **Abstain:**

None

#### **COMMITTEE ACTION**

**DATE:** June 5, 2017



The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against: Abstain:**

None None

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

Res. No. 1546

**Resolution approving the petition for a new revocable consent for an unenclosed sidewalk café located at 93 Avenue B, Borough of Manhattan (20175360 TCM; L.U. No. 648).**

By Council Members Greenfield and Richards.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on May 12, 2017 its approval dated May 10, 2017 of the petition of El Sayed 1 Corp, d/b/a Horus Kabab House, for a new revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 93 Avenue B, Community District 3, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on May 30, 2017; 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 New York City Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 649

**Report of the Committee on Land Use in favor of approving Application No. C 170150 ZMX submitted by Azimuth Development Group LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section nos. 3d and 4b, changing an existing R5/C1-2 District to an R7A/C1-4 District on property on Watson Avenue between Commonwealth Avenue and Rosedale Avenue, Borough of the Bronx, Community District 9, Council District 18.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1632), respectfully

**REPORTS:****SUBJECT****BRONX CB - 9****C 170150 ZMX**

City Planning Commission decision approving an application submitted by Azimuth Development Group, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 3d and 4b:

1. eliminating from within an existing R5 District a C1-2 District bounded by Watson Avenue, Rosedale Avenue, a line 300 feet northerly of Watson Avenue, and Commonwealth Avenue;
2. changing from an R5 District to an R7A District property bounded by Watson Avenue, Rosedale Avenue, a line 310 feet northerly of Watson Avenue, and Commonwealth Avenue; and
3. establishing within the proposed R7A District a C1-4 District bounded by Watson Avenue, Rosedale Avenue, a line 310 feet northerly of Watson Avenue and Commonwealth Avenue;

as shown on a diagram (for illustrative purposes only) dated December 12, 2016 and subject to the conditions of CEQR Declaration E- 403.

**INTENT**

This application, in conjunction with the related application for a zoning text amendment, would facilitate the development of a new mixed-use development with residential and community facility uses in the Soundview neighborhood of Community District 9, the Bronx.

**PUBLIC HEARING****DATE:** May 30, 2017**Witnesses in Favor:** Three**Witnesses Against:** One**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

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

**In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 650

**Report of the Committee on Land Use in favor of approving Application No. C 170151 ZRX submitted by Azimuth Development Group LLC pursuant to Sections 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, Borough of the Bronx, Community District 9, Council District 18.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1632), respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB - 9**

**N 170151 ZRX**

City Planning Commission decision approving an application submitted by Azimuth Development Group, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

### **INTENT**

This application, in conjunction with the related application for a zoning map amendment, would facilitate the development of a new mixed-use development with residential and community facility uses in the Soundview neighborhood of Community District 9, the Bronx.

### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** One

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

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

#### **In Favor:**

Richards, Gentile, Wills, Reynoso, Torres.

#### **Against:**

None

#### **Abstain:**

None

### **COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

#### **In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

#### **Against:**

None

#### **Abstain:**

None

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J.

RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

Report for L.U. No. 656

**Report of the Committee on Land Use in favor of approving Application No. 20175421 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 3158, Lots 41 and 43; and Block 3221, Lot 15, Borough of the Bronx, Community Board 5, Council Districts 14 and 15.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1634) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BRONX CB - 5**

**20175421 HAX**

POMP I: Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3158, Lots 41 and 43; and Block 3221, Lot 15.

#### **INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains three multiple dwellings known as POMP 1 that provide rental housing for low-income families.

#### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1547

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3158, Lots 41 and 43; and Block 3221, Lot 15; Borough of the Bronx, (L.U. No. 656; Non-ULURP No. 20175421 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 3158, Lots 41 and 43; and Block 3221, Lot 15; Community District No. 5, Borough of the Bronx, Council District Nos. 14 and 15 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. "Corporation" shall mean Bilig Realty Corp.

- b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3158, Lots 41 and 43 and Block 3221, Lot 15 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. “Gross Rent Tax” shall mean an amount equal to one and one-half percent (1.5%) of Gross Rent in the tax year in which such real property tax payment is made.
  - h. “HDFC” shall mean Bilig Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - k. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - l. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:

- a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
  - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - c. Nothing herein shall entitle the HDPC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 657

**Report of the Committee on Land Use in favor of approving Application No. 20175429 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 2948, Lot 20, Borough of the Bronx, Community Board 6, Council District 17.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 134) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**



**BRONX CB - 6****20175429 HAX**

POMP 2: Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2948, Lot 20.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains one multiple dwelling known as POMP 2 that provide rental housing for low-income families.

**PUBLIC HEARING****DATE:** May 30, 2017**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

## Res. No. 1548

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2948, Lot 20, Borough of the Bronx, (L.U. No. 657; Non-ULURP No. 20175429 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 2948, Lot 20, Community District No. 6, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

2. For the purposes hereof, the following terms shall have the following meanings:
  - a. "Corporation" shall mean Cirrus Realty Corp.
  - b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - d. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2948, Lot 20 on the Tax Map of the City of New York.
  - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - f. "Gross Rent" shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. "Gross Rent Tax" shall mean an amount equal to one half of one percent (0.5)% of the Gross Rent in the tax year in which such real property tax payment is made.
  - h. "HDFC" shall mean Cirrus Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - k. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - l. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
    - b. The 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, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 658

**Report of the Committee on Land Use in favor of approving Application No. 20175430 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 2623, Lots 54 and 56, Block 3737, Lots 32 and 33, Borough of the Bronx, Community Boards 1 and 9, Council District 17.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1634) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BRONX CBs 1 and 9**

**20175430 HAX**

POMP 3: Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2623, Lots 54 and 56; and Block 3737, Lots 32 and 33.

#### **INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains four multiple dwellings known as POMP 3 that provide rental housing for low-income families.

#### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1549

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2623, Lots 54 and 56 and Block 3737, Lots 32 and 33, Borough of the Bronx, (L.U. No. 658; Non-ULURP No. 20175430 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 2623, Lots 54 and 56 and Block 3737, Lots 32 and 33, Community District Nos. 1 and 9, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

3. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Corporation” shall mean Zevrone Realty Corp.
  - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2623, Lots 54 and 56 and Block 3737, Lots 32 and 33 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. “Gross Rent Tax” shall mean an amount equal to one-tenth of one percent (0.1%) of the Gross Rent in the tax year in which such real property tax payment is made.
  - h. “HDFC” shall mean Zevrone Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - k. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - l. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.

4. Notwithstanding any provision hereof to the contrary:
  - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
  - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 661

**Report of the Committee on Land Use in favor of approving Application No. 20175433 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 3738, Lot 33; and Block 3772, Lot 10, Borough of the Bronx, Community Board 9, Council District 17.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1635) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB - 9**

**20175433 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3738, Lot 33; and Block 3772, Lot 10.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains two multiple dwellings known as POMP 5 that provide rental housing for low-income families.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams,



Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

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

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

Res. No. 1550

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3738, Lot 33 and Block 3772, Lot 10, Borough of the Bronx, (L.U. No. 661; Non-ULURP No. 20175433 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 3738, Lot 33 and Block 3772, Lot 10, Community District No. 9, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

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

- a. "Corporation" shall mean Newstart Properties, Inc.
- b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
- d. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3738, Lot 33 and Block 3772, Lot 10 on the Tax Map of the City of New York.
- e. "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.

- f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. “Gross Rent Tax” shall mean an amount equal to eighty-two hundredths of one percent (0.82%) of the Gross Rent in the tax year in which such real property tax payment is made.
  - h. “HDFC” shall mean Newstart Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - k. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - l. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
    - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.

- c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 664

**Report of the Committee on Land Use in favor of approving Application No. 20175436 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 2844, Lot 33, Borough of the Bronx, Community Board 4, Council District 14.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1636) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BRONX CB - 4**

**20175436 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2844, Lot 33.

#### **INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains one multiple dwelling known as POMP 7 that provide rental housing for low-income families.

**PUBLIC HEARING****DATE:** May 30, 2017**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1551

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2844, Lot 33, Borough of the Bronx, (L.U. No. 664; Non-ULURP No. 20175436 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing

Finance Law (the "Tax Exemption") for property located at Block 2844, Lot 33, Community District No. 4, Borough of the Bronx, Council District No. 14 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

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

- a. "Corporation" shall mean Endacofe Realty Corp.
- b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
- d. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2844, Lot 33 on the Tax Map of the City of New York.
- e. "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.
- f. "Gross Rent" shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
- g. "Gross Rent Tax" shall mean an amount equal to one-fourth of one percent (0.25%) of Gross Rent in the tax year in which such real property tax payment is made.
- h. "HDFC" shall mean Endacofe Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
- i. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- j. "J-51 Benefits" shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
- k. "Owner" shall mean, collectively, the HDFC and the Corporation.

1. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
4. Notwithstanding any provision hereof to the contrary:
  - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
  - b. The 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, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 665

**Report of the Committee on Land Use in favor of approving Application No. 20175437 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 3739, Lot 67; and Block 3772, Lot 12, Borough of the Bronx, Community Board 9, Council District 17.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1636) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB - 9**

**20175437 HAX**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3739, Lot 67; and Block 3772, Lot 12.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contain two multiple dwelling known as POMP 8 that provide rental housing for low-income families.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

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

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

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

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

Res. No. 1552

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3739, Lot 67 and Block 3772, Lot 12, Borough of the Bronx, (L.U. No. 665; Non-ULURP No. 20175437 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 3739, Lot 67 and Block 3772, Lot 12, Community District No. 9, Borough of the Bronx, Council District No. 17 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. "Corporation" shall mean Matsia Properties Corp.
  - b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.



- d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3739, Lot 67 and Block 3772, Lot 12 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - f. “Gross Rent” shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. “Gross Rent Tax” shall mean an amount equal to sixty-five hundredths of one percent (0.65%) of Gross Rent in the tax year in which such real property tax payment is made.
  - h. “HDFC” shall mean Matsia Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - j. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - k. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 667

**Report of the Committee on Land Use in favor of approving Application No. 20175422 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at 2850, Lot 16, Borough of the Bronx, Community District 5, Council District 14.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1636) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB - 5**

**20175422 HAX**

POMP 9: Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2850, Lot 16.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law to ensure continued affordability of an exemption area that contains one multiple dwelling known as POMP 9 that provide rental housing for low-income families.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1553

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2850, Lot 16, Borough of the Bronx, (L.U. No. 667; Non-ULURP No. 20175422 HAX).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 15, 2017 its request dated May 10, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 2850, Lot 16, Community District No. 5, Borough of the Bronx, Council District No. 14 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

1. **For the purposes hereof, the following terms shall have the following meanings:**
  - a. "Corporation" shall mean New Townsend Realty Corp.
  - b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - d. "Exemption Area" shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2850, Lot 16 on the Tax Map of the City of New York.
  - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - f. "Gross Rent" shall mean the gross potential rents from all residential and commercial units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - g. "Gross Rent Tax" shall mean an amount equal to seventy-five hundredths of one percent (0.75%) of the Gross Rent in the tax year in which such real property tax payment is made.
  - h. "HDFC" shall mean New Townsend Realty Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - i. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.

- j. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
  - k. “Owner” shall mean, collectively, the HDFC and the Corporation.
  - l. “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 Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross 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 property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by any existing or future local, state, or federal law, rule or regulation.
  4. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time 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) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 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 Exemption shall prospectively terminate.
    - b. The 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, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  5. In consideration of the Exemption, the owner of the Exemption Area, for so long as the 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. Notwithstanding the foregoing, the J-51 Benefits shall remain in effect.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J.

RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 668

**Report of the Committee on Land Use in favor of approving Application No. 20175423 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 764, Lot 36, Block 792, Lot 56, Block 799, Lot 25, Block 809, Lots 2, 3, 4, 5, 6, and 7, Block 816, Lots 36 and 37, Block 817, Lots 1 and 5, Block 821, Lot 12, Block 830, Lots 33 and 35, Block 832, Lot 51, and Block 839, Lot 6, Borough of Brooklyn, Community Board 7, Council District 38.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1637) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 7**

**20175423 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of a prior tax exemption for property located at Block 764, Lot 36; Block 792, Lot 56; Block 799, Lot 25; Block 809, Lots 2, 3, 4, 5, 6, and 7; Block 816, Lots 36 and 37; Block 817, Lots 1 and 5; Block 821, Lot 12; Block 830, Lots 33 and 35; Block 832, Lot 51; and Block 839, Lot 6.

#### **INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (PHFL), (ii) termination of a prior tax exemption pursuant to Section 125 of the PHFL, and (iii) consent of voluntary dissolution of current owner for an exemption area that contains twenty-four multiple dwellings known as Neighborhood Stabilization Associates I, which provide rental housing for low income persons and families.

#### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1554

**Resolution to approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), termination of a prior exemption under the PHFL Section 125, and consent of the voluntary dissolution of the prior owner under the PHFL Section 123(4), related to the Exemption Area located at Block 764, Lot 36; Block 792, Lot 56; Block 799, Lot 25; Block 809, Lots 2, 3, 4, 5, 6, 7; Block 816, Lots 36, 37; Block 817, Lots 1,5; Block 821, Lot 12; Block 830, Lots 33, 35; Block 832, Lot 51; and Block 839, Lot 6, Community District 7, Borough of Brooklyn (L.U. No. 668; 20175423 HAK).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 17, 2017 its request dated May 15, 2017 that the Council take the following actions regarding a tax exemption for real property located at Block 764, Lot 36; Block 792, Lot 56; Block 799, Lot 25; Block 809, Lots 2, 3, 4, 5, 6, 7; Block 816, Lots 36, 37; Block 817, Lots 1,5; Block 821, Lot 12; Block 830, Lots 33, 35; Block 832, Lot 51; and Block 839, Lot 6, Community District 7, Borough of Brooklyn (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant Private Housing Finance Law (PHFL) Section 577 (the "New Exemption");

Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area; and

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

**WHEREAS**, the original project was approved by the Board of Estimate on February 11, 1982 (Cal. No. 5), (the "Prior Exemption");

**WHEREAS**, HPD submitted to the Council on May 17, 2017 its request dated May 15, 2017 relating to the tax exemption for the Exemption Area ("The HPD Request");

**WHEREAS**, upon due notice, the Council held a public hearing on the New Exemption on May 30, 2017;

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the New Exemption;

**RESOLVED:**

The Council approves the New Exemption pursuant to Section 577 of the Private Housing Finance as follows:

1. a. For the purposes hereof, the following terms shall have the following meanings:
  - (i) "Company" shall mean Sunset Park Owner I LLC.
  - (ii) "Current Owner" shall mean Neighborhood Stabilization Associates I, L.P.
  - (iii) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the Regulatory Agreement.
  - (iv) "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 764, Lot 36; Block 792, Lot 56; Block 799, Lot 25; Block 809, Lots 2, 3, 4, 5, 6, 7; Block 816, Lots 36, 37; Block 817, Lots 1,5; Block 821, Lot 12; Block 830, Lots 33, 35; Block 832, Lot 51; and Block 839, Lot 6 on the Tax Map of the City of New York.
  - (v) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - (vi) "Gross Rent" shall mean the gross potential rents from all residential units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - (vii) "Gross Rent Tax" shall mean an amount equal to ten percent (10%) of the Gross Rent for the tax year 2018.



- (viii) “HDFC” shall mean HP Sunset Park I Housing Development Fund Company, Inc. or a housing development company that acquires the Exemption Area with the prior written consent of HPD.
  - (ix) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - (x) “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - (xi) “New Owner” shall mean, collectively, the HDFC and the Company.
  - (xii) “PHFL” shall mean the Private Housing Finance Law.
  - (xiii) “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area pursuant to Section 125 of the PHFL approved by the Board of Estimate on February 11, 1982 (Cal No. 5).
  - (xiv) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- b) All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
- c) Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of (i) the Gross Rent Tax, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area 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 the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation, or (b) seventeen percent (17%) of Gross Rent.
- d) Notwithstanding any provision hereof to the contrary:
- (1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the PHFL, (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) except as otherwise provided in the Regulatory Agreement, any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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.

- (2) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - (3) Nothing herein shall entitle the HDFC, the New Owner or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- e) 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, if any, 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.
2. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.
  3. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.
  4. If the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur either (i) within one day following the termination of the Prior Exemption, or (ii) on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void, the dissolution of the Current Owner shall be rescinded, and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 669

**Report of the Committee on Land Use in favor of approving Application No. 20175439 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 723, Lot 67, Block 774, Lot 59, Block 775, Lots 65 and 80, Block 783, Lot 21, Block 784, Lots 38, 39, 45, and 47, and Block 814, Lot 20, Borough of Brooklyn, Community Board 7, Council District 38.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1637) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 7**

**20175439 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of a prior tax exemption for property located at Block 723, Lot 67; Block 774, Lot 59; Block 775, Lots 65 and 80; Block 783, Lot 21; Block 784, Lots 38, 39, 45 and 47; and Block 814, Lot 20.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (PHFL), (ii) termination of a prior tax exemption pursuant to Section 125 of the PHFL, and (iii) consent of voluntary dissolution of current owner for an exemption area that contains thirteen multiple dwellings known as Neighborhood Stabilization Associates II, which provide rental housing for low income persons and families.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca .

**Against:**

None

**Abstain:**

None

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

Res. No. 1555

**Resolution to approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), termination of a prior exemption under the PHFL Section 125, and consent of the voluntary dissolution of the prior owner under the PHFL Section 123(4), related to the Exemption Area located at Block 723, Lot 67; Block 774, Lot 59, Block 775; Lots 65, 80; Block 783, Lot 21; Block 784, Lots 38, 39, 45, 47; and Block 814, Lot 20, Community District 7, Borough of Brooklyn (L.U. No. 669; 20175439 HAK).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 17, 2017 its request dated May 15, 2017 that the Council take the following actions regarding a tax exemption for real property located at Block 723, Lot 67; Block 774, Lot 59, Block 775; Lots 65, 80; Block 783, Lot 21; Block 784, Lots 38, 39, 45, 47; and Block 814, Lot 20, Community District 7, Borough of Brooklyn (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant Private Housing Finance Law (PHFL) Section 577 (the "New Exemption");

Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area; and

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

**WHEREAS**, the original project was approved by the Board of Estimate on February 11, 1982 (Cal. No. 6), (the "Prior Exemption");

**WHEREAS**, HPD submitted to the Council on May 17, 2017 its request dated May 15, 2017 relating to the tax exemption for the Exemption Area ("The HPD Request");

**WHEREAS**, upon due notice, the Council held a public hearing on the New Exemption on May 30, 2017;

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the New Exemption;

**RESOLVED:**

The Council approves the New Exemption pursuant to Section 577) of the Private Housing Finance as follows:

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

- (xv) “Company” shall mean Sunset Park Owner II LLC.
  - (xvi) “Current Owner” shall mean Neighborhood Stabilization Associates II, L.P.
  - (xvii) “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the Regulatory Agreement.
  - (xviii) “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 723, Lot 67; Block 774, Lot 59, Block 775; Lots 65, 80; Block 783, Lot 21; Block 784, Lots 38, 39, 45, 47; and Block 814, Lot 20 on the Tax Map of the City of New York.
  - (xix) “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, (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.
  - (xx) “Gross Rent” shall mean the gross potential rents from all residential units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - (xxi) “Gross Rent Tax” shall mean an amount equal to ten percent (10%) of the Gross Rent for the tax year 2018.
  - (xxii) “HDFC” shall mean HP Sunset Park II Housing Development Fund Company, Inc. or a housing development company that acquires the Exemption Area with the prior written consent of HPD.
  - (xxiii) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - (xxiv) “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - (xxv) “New Owner” shall mean, collectively, the HDFC and the Company.
  - (xxvi) “PHFL” shall mean the Private Housing Finance Law.
  - (xxvii) “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area pursuant to Section 125 of the PHFL approved by the Board of Estimate on February 11, 1982 (Cal No. 6).
  - (xxviii) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- b) All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.

- c) Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of (i) the Gross Rent Tax, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area 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 the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation, or (b) seventeen percent (17%) of Gross Rent.
  - d) Notwithstanding any provision hereof to the contrary:
    - (1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the PHFL, (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) except as otherwise provided in the Regulatory Agreement, any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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.
    - (2) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
    - (3) Nothing herein shall entitle the HDFC, the New Owner or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  - e) 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, if any, 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.
6. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.
  7. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.
  8. If the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur either (i) within one day following the termination of the Prior Exemption, or (ii) on the same day as

the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void, the dissolution of the Current Owner shall be rescinded, and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 670

**Report of the Committee on Land Use in favor of approving Application No. 20175424 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 816, Lot 42, Borough of Brooklyn, Community Board 7, Council District 38.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1637) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 7**

**20175424 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption and termination of a prior tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 816, Lot 42, Council District 38.

#### **INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (PHFL), (ii) termination of a prior tax exemption pursuant to Section 125 of the PHFL, and (iii) consent of voluntary dissolution of current owner for an exemption area that contains two multiple dwellings known as Sixth Avenue Rehab I, which provide rental housing for low income persons and families.

#### **PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1556

**Resolution to approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (PHFL), termination of a prior exemption under the PHFL Section 125, and consent of the voluntary dissolution of the prior owner under the PHFL Section 123(4), related to Exemption Area located at Block 816, Lot 42 , Community District 7, Borough of Brooklyn (L.U. No. 670; 20175424 HAK).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 17, 2017 its request dated May 15, 2017 that the Council take the following actions regarding a tax exemption for real property located at Block 816, Lot 42, Community District 7, Borough of Brooklyn (the "Exemption Area"):

Approve an exemption of the Exemption Area from real property taxes pursuant Private Housing Finance Law (PHFL) Section 577 (the "New Exemption");



Terminate, pursuant to PHFL Section 125, a prior exemption for the Exemption Area; and

Consent to, pursuant to PHFL Section 123(4), the voluntary dissolution of the current owner;

**WHEREAS**, the original project was approved by the Board of Estimate on September 27, 1979 (Cal. No. 34), (the “Prior Exemption”);

**WHEREAS**, HPD submitted to the Council on May 17, 2017 its request dated May 15, 2017 relating to the tax exemption for the Exemption Area (“The HPD Request”);

**WHEREAS**, upon due notice, the Council held a public hearing on the New Exemption on May 30, 2017;

**WHEREAS**, the Council has considered the land use and financial implications and other policy issues relating to the New Exemption;

**RESOLVED:**

The Council approves the New Exemption pursuant to Section 577 of the Private Housing Finance as follows:

9. a. For the purposes hereof, the following terms shall have the following meanings:
  - (xxix) “Company” shall mean Sunset Park Owner III LLC.
  - (xxx) “Current Owner” shall mean Sixth Avenue Rehabilitation Associates I, L.P.
  - (xxxi) “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the New Owner enter into the Regulatory Agreement.
  - (xxxii) “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 816, Lot 42 on the Tax Map of the City of New York.
  - (xxxiii) “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) 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.
  - (xxxiv) “Gross Rent” shall mean the gross potential rents from all residential units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - (xxxv) “Gross Rent Tax” shall mean an amount equal to ten percent (10%) of the Gross Rent for the tax year 2018.
  - (xxxvi) “HDFC” shall mean HP Sunset Park III Housing Development Fund Company, Inc. or a housing development company that acquires the Exemption Area with the prior written consent of HPD.

- (xxxvii) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
- (xxxviii) “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
- (xxxix) “New Owner” shall mean, collectively, the HDFC and the Company.
- (xl) “PHFL” shall mean the Private Housing Finance Law.
- (xli) “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area pursuant to Section 125 of the PHFL approved by the Board of Estimate on September 27, 1979 (Cal No. 34).
- (xlii) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- b) All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
- c) Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of (i) the Gross Rent Tax, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area 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 the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation, or (b) seventeen percent (17%) of Gross Rent.
- d) Notwithstanding any provision hereof to the contrary:
- (1) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the PHFL, (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) except as otherwise provided in the Regulatory Agreement, any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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.

- (2) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - (3) Nothing herein shall entitle the HDFC, the New Owner or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- e) 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, if any, 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.
- 10. The Council approves, pursuant to Section 125 of the PHFL, the termination of the Prior Exemption, which termination shall become effective one day preceding the conveyance of the Exemption Area from the Current Owner to the New Owner.
  - 11. The Council consents, pursuant to Section 123(4) of the PHFL, to the voluntary dissolution of the Current Owner.
  - 12. If the conveyance of the Exemption Area from the Current Owner to the New Owner does not occur either (i) within one day following the termination of the Prior Exemption, or (ii) on the same day as the voluntary dissolution of the Current Owner, then all of the approvals and consents set forth above shall be null and void, the dissolution of the Current Owner shall be rescinded, and both the obligations of the Current Owner to remain an Article V redevelopment company and the Prior Exemption shall be reinstated as though they had never been terminated or interrupted.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 671

**Report of the Committee on Land Use in favor of approving Application No. 20175425 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for the approval of a real property tax exemption for property located at Block 792, Lot 24, Block 821, Lots 71 and 72, Borough of Brooklyn, Community Board 7, Council District 38.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1637) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 7**

**20175425 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 792, Lot 24; and Block 821, Lots 71 and 72.

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for the exemption area which contains three multiple dwellings known as Sunset Park Housing Associates that provide rental housing for low-income persons and families.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1557

**Resolution approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 792, Lot 24; and Block 821, Lots 71 and 72), Borough of Brooklyn (L.U. No. 671; Non-ULURP No. 20175425 HAK).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 17, 2017 its request dated May 15, 2017 that the Council approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption") for property located at Block 792, Lot 24; and Block 821, Lots 71 and 72), Community District 7, Borough of Brooklyn, Council District No. 38 (the "Exemption Area");

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

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

**RESOLVED:**

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

- a) For the purposes hereof, the following terms shall have the following meanings:
  - (xliv) "Company" shall mean Sunset Park Owner IV LLC.
  - (xlv) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into a regulatory agreement
  - (xlvi) "Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - (xlvii) "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 792, Lot 24 and Block 821, Lots 71, 72 on the Tax Map of the City of New York.
  - (xlviii) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty (30) 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.

- (xlviii) “Gross Rent” shall mean the gross potential rents from all residential units (both occupied and vacant) of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance).
  - (xlix) “Gross Rent Tax” shall mean an amount equal to ten percent (10%) of Gross Rent for the tax year 2018.
  - (l) “HDFC” shall mean HP Sunset Park IV Housing Development Fund Company, Inc. or a housing development company that acquires the Exemption Area with the prior written consent of HPD.
  - (li) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - (lii) “New Owner” shall mean, collectively, the HDFC and the Company.
  - (xi) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- b) All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility 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.
  - c) Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the New Owner shall make real property tax payments in the sum of (i) the Gross Rent Tax, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area 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 the Effective Date. Notwithstanding the foregoing, the total annual real property tax payment by the New Owner shall not at any time exceed the lesser of either (a) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation, or (b) seventeen percent (17%) of Gross Rent.
  - d) Notwithstanding any provision hereof to the contrary:
    - (1) The Exemption shall terminate if HPD determines at any time 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) except as otherwise provided in the Regulatory Agreement, any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or 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 Exemption shall prospectively terminate.

- (2) The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
  - (3) Nothing herein shall entitle the HDFC, the New Owner or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- e) In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, 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.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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. 673

**Report of the Committee on Land Use in favor of approving Application No. 20175427 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law for the approval of an urban development action area project and real property tax exemption for properties located at Block 1635, Lot 1, 7, and 16, Borough of Manhattan, Community Board 11, Council Districts 8.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 24, 2017 (Minutes, page 1638) and which same Land Use item was coupled with the resolution shown below, respectfully

#### REPORTS:

#### SUBJECT

**MANHATTAN CB - 11**

**20175427 HAM**

Application submitted by the New York City Department of Housing Preservation and Development for approval of an Urban Development Action Area Project located at 1461 Park Avenue pursuant to Sections 691, 693 and 694 of the General Law and approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 1635, Lots 1, 7, and 16.

**INTENT**

To approve the Project as an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law; and approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for the disposition area.

**PUBLIC HEARING**

**DATE:** May 30, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 30, 2017

**The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.**

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 5, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Salamanca.

**Against:**

None

**Abstain:**

None

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

Res. No. 1558

**Resolution approving an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law for the property located at 1461 Park Avenue (Block 1635, Lot 1) borough of Manhattan, and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the property located at Block 1635, Lots 1, 7 and 16), Borough of Manhattan (L.U. No. 673; 20175247 HAM).**



By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on May 19, 2017 its request dated May 15, 2017 that the Council approve an urban development action area project pursuant to Article 16 of the General Municipal Law for the property located at 1461 Park Avenue (Block 1635, Lot 1) (the "Project") as follows:

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Approve the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and
3. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and

approve an exemption of the Project from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption"), for the property located at 1461 Park Avenue (Block 1635, Lot 1), Community District No. 11, Borough of Manhattan, Council District No. 8 (the "Disposition Area");

**WHEREAS**, the application is related to previously approved City Council Resolution No. 1320; L.U. No. 519 of November 29, 2016;

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on May 30, 2017;

**WHEREAS**, the Council has considered the land use, environmental and financial implications and other policy issues relating to the Project;

**RESOLVED:**

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law.

The Council approves the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

The Council approves the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be disposed of and developed upon the terms and conditions in the Project Summary that HPD has submitted to the Council, a copy of which is attached hereto.

Pursuant to Section 577 of the Private Housing Finance Law the Council approves the exemption of the Exemption Area from real property taxes as follows:

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

- a) "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, HDC, and the New Owner enter into the Regulatory Agreement in their respective sole discretion.
  - b) "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - c) "Exemption Area" shall mean the real property located on the Tax Map of the City of New York in the Borough of Manhattan, City and State of New York, identified as Block 1635, Lots 1, 7, and 16.
  - d) "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) 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 or leased by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - e) "HDC" shall mean New York City Housing Development Corporation.
  - f) "HDFC" shall mean Lex Gardens II TP4 Housing Development Fund Company, Inc.
  - g) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
  - h) "LLC" shall mean Lexington Gardens Owners LLC or an affiliate.
  - i) "New Owner" shall mean the HDFC and the LLC or any future owner of the Exemption Area.
  - j) "Regulatory Agreement" shall mean the regulatory agreement between HPD, HDC, and the New Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any devoted to business, commercial, or community facility use, except for any community facility use or parking use required by and on the terms set forth in the Regulatory Agreement) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon Expiration Date.
  3. (a) Notwithstanding any provision hereof to the contrary, the Exemption shall terminate if HPD determines at any time 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 consent of HPD, or (v) the demolition or construction 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 Exemption shall prospectively terminate.
  - (b) Nothing herein shall entitle the New Owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

- (c) The Exemption shall not apply to any building constructed on the Exemption Area which does not have a permanent or temporary certificate of occupancy by December 31, 2021, as such date may be extended in writing by HPD.
4. In consideration of the Exemption, the New Owner (i) shall execute and record the Regulatory Agreement, and (ii) for so long as the 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.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; RAFAEL SALAMANCA, Jr.; Committee on Land Use, June 5, 2017.

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 State and Federal Legislation**

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

Report for Res. No. 1519

### **Report of the Committee on State and Federal Legislation in favor of approving a Resolution calling upon the New York State Legislature to amend the State Education Law, to extend provisions related to mayoral control for two years.**

The Committee on State and Federal Legislation, to which the annexed preconsidered resolution was referred on June 6, 2017, respectfully

### **REPORTS:**

#### **INTRODUCTION**

On June 6, 2017, the Committee on State and Federal Legislation, chaired by Council Member Karen Koslowitz, will hold a hearing on Preconsidered Res. No. 1519, a resolution calling upon the New York State Legislature to amend the State Education Law, to extend provisions related to mayoral control for two years.

#### **Preconsidered Res. No. 1519**

Preconsidered Res. No. 1519 would note that in 2002, the New York State Legislature amended the State Education Law to establish mayoral control over the New York City school district. The resolution would acknowledge that the establishment of this new governance model was designed to improve the education system by establishing a clearer line of accountability.

Preconsidered Res. No. 1519 would further acknowledge that Mayoral control ushered in a period during which the outcomes for students in New York City schools have improved significantly. The resolution would

point out that under mayoral control, graduation rates, college readiness rates and test scores have increased measurably. Preconsidered Res. No. 1519 would also note that the City of New York has seen graduation rates rise steadily, reaching a current historic high, with 72.6 percent of the City's high school students graduating in four years, and has seen its dropout rate decrease to the lowest level it has ever been.

Preconsidered Res. No. 1519 would recognize that under mayoral control, New York City schools now provide families with information on students' academic success, and foster partnership with the community and parents in the shaping of our schools. The resolution would further recognize that under mayoral control, the City of New York has implemented free, full-day, high-quality universal pre-Kindergarten for every four-year-old, coordinating the efforts of multiple agencies to launch and administer the program.

The resolution would indicate that mayoral control has brought a degree of financial stability to our schools and increased transparency to the school budgeting process. The resolution would also note that mayoral control not only provides parents and the public with a clear answer as to whom to hold responsible for the academic performance of the City's children, it also continues to foster participation of parents and the community in the governance of schools.

Preconsidered Res. No. 1519 would state that mayoral control provides the stability necessary to build upon the improvements made thus far, and it will keep in place the system needed to deliver on recently implemented initiatives. The resolution would note that the State Legislature retains legislative authority over certain aspects of the New York City public school system.

Preconsidered Res. No. 1519 would point out that Education is one of the most important local government functions, as the New York City school district serves more than 1.1 million students, has over 1700 schools and has an education budget exceeding \$28 billion, which makes the Department of Education the largest entity funded in the City budget. The resolution would further state that the importance of the New York City school district thus warrants clear accountability to an individual.

Finally, Preconsidered Res. No. 1519 would state that the Council of the City of New York calls upon the New York State Legislature to amend the State Education Law, to extend provisions related to mayoral control for two years.

*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)**

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S. LANDER, RAFAEL L. ESPINAL, Jr., BEN KALLOS, ALAN N. MAISEL, BILL PERKINS; Committee on State and Federal Legislation, June 6, 2017. *Other Council Members Attending: Council Member Miller.*

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Resolution No. 1

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Lanza, S.5088, and Assembly Member Farrell, A.6663, "AN ACT to amend chapter 130 of the laws of 1998,**

**amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”.**

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 6, 2017, respectfully

**REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution [SLR] by the Council. By adopting this SLR, the Council would be formally requesting the New York State Legislature to act favorably in this matter)*

**BACKGROUND:**

The underlying legislation permits the City of New York to expand the types of instruments in which the City may invest in, within prudent limits. In 2014 the State Legislature extended the sunset provision by three years to July 1, 2017. This legislation extends the sunset provision by three years, to July 1, 2020.

**PROPOSED LEGISLATION:**

Section 1 of the legislation amends section 2 of chapter 130 of the laws of 1998 to extend the sunset date of July 1, 2017 by an additional three years, to July 1, 2020.

Section 2 of the legislation defines the date of when the law takes effect.

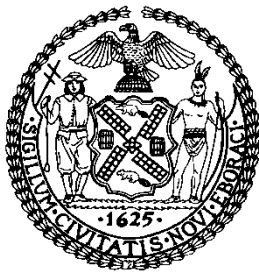
**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

Immediately provided, however, that if this act shall have become a law after July 1, 2017 it shall be deemed to have been in full force and effect on and after July 1, 2017.

**(The following is the text of the Fiscal Impact Statement for SLR. No. 1:)**



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

**PRE CONSIDERED SLR 1: S5088 / A6663  
COMMITTEE: State and Federal Legislation**

---

**TITLE:** AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof.

**SPONSOR(S): Karen Koslowitz**

**SUMMARY OF LEGISLATION:** This bill would extend the authority given to the City to invest in a broad range of financial instruments by three years (until July 1, 2020). Giving the City the ability to manage its finances

by investing in a range of instruments has provided the City with increased flexibility in its investment decisions, and has consequently allowed the City to achieve higher yields on its investments, without a significant increase in risk.

**EFFECTIVE DATE:** This State act would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** N/A

**FISCAL IMPACT STATEMENT:**

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues from this legislation. The financial plan assumes the authority regarding City investments covered by this legislation will continue beyond the respective sunset date this year.

**IMPACT ON EXPENDITURES:** None

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** The New York City Council Finance Division

**ESTIMATE PREPARED BY:** Kendall Stephenson, Economist, City Council Finance Division

**ESTIMATE REVIEWED BY:** Paul Sturm, Supervising Economist, City Council Finance Division

**LEGISLATIVE HISTORY:** This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 6, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 6, 2017.

**DATE PREPARED:** June 5, 2017.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, BILL PERKINS; Committee on State and Federal Legislation, June 6, 2017. *Other Council Members Attending: Council Member Miller.*

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Resolution No. 2

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Hamilton, S.6488, and Assembly Member Dilan, A.7406, “AN ACT to amend the administrative code of the city of New York, in relation to a tax on the transfer of certain real property within three years of the prior transfer of such property.”**

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 6, 2017, respectfully

**REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution [SLR] by the Council. By adopting this SLR, the Council would be formally requesting the New York State Legislature to act favorably in this matter)*

**BACKGROUND:**

The purpose of this legislation is to deter property speculation and flipping in vulnerable neighborhoods by incorporating an additional fifteen percent tax on properties sold within one year and a ten percent tax on property sold after one year but less than two years after their initial purchase.

**PROPOSED LEGISLATION:**

Section 1 of the legislation amends section 11-2101 of the administrative code of the city of New York by adding four new subdivisions: 19, 20, 21 and 22.

Subdivision 19 defines “prior conveyance of property” as the most recent conveyance of the real property, whether conveyed on its own or as part of a larger conveyance.

Subdivision 20 defines “family member” as a person’s child, spouse, domestic partner, parent, sibling, grandchild or grandparent, or the child or parent of a person’s spouse or domestic partner.

Subdivision 21 defines “principle place of residence” as a person’s permanent or primary home that the person occupies for more than a temporary or transitory purpose.

Subdivision 22 defines “new housing” as a residential unit or units that did not exist at the time of the prior conveyance of the property to the extent that the property had no residential units at the time of the prior conveyance and at least one residential unit was subsequently added.

Section 2 of the legislation amends the administrative code of the city of New York by adding a new section 11-2120. Section 11-2120(a) states that in addition to the tax imposed by section 11-2102 of the administrative code, there is the imposition of a flip tax on each deed, instrument or transaction at the time of the transfer whereby any properties of one to five separate residential units are transferred within two years from the prior conveyance of the property. The flip tax will have a rate of fifteen percent if the transfer occurs less than one year since the prior conveyance. The flip tax will have a rate of ten percent if the transfer occurs more than one year but less than two years since the prior conveyance.

Section 11-2120(b) states that the tax defined in subsection (a) will expire when the time since the prior conveyance of the property is two years.

Section 11-2120(c) states that all revenues resulting from the imposition of the tax will be deposited in the general fund of the city.

Section 11-2120(d) exempts the following persons from the legislation: (i) property owners conveying property to a family member, (ii) property owners whom demonstrate a financial hardship which justifies a

conveyance of property in less than or equal to two years. Section 11-2120(d) exempts the following properties from the legislation: (i) property which was conveyed within one year of the death of the property owner, (ii) property being sold as new housing, (iii) property which the consideration or value conveyed, which is otherwise subject to the tax imposed in Section 11-2120 is less than or equal to the consideration or value of such property conveyed at the time of the prior conveyance of the property and (iv) property which is otherwise exempt from payment of a real property transfer tax, as defined in the administrative code.

Section 3 of the legislation defines the date of when the law takes effect.

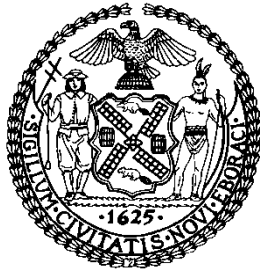
**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

The law shall take effect on the ninetieth day after it shall have become a law and shall apply to conveyances occurring on or after such date.

(The following is the text of the Fiscal Impact Statement for SLR No. 2:)



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

**PRE CONSIDERED SLR 2:** S6488 / A7406  
**COMMITTEE:** State and Federal Legislation

**TITLE:** AN ACT to amend the administrative code of the city of New York, in relation to a tax on the transfer of certain real property within three years of the prior transfer of such property.

**SPONSOR(S):** Karen Koslowitz

**SUMMARY OF LEGISLATION:** This bill would help prevent property speculation and subsequent flipping of properties across the City. Such property flipping – buying a property, making certain repairs or upgrades, and then reselling for a profit – will be limited with the imposition of a “flip tax.” The flip tax will have a rate of 15 percent if the transfer of property occurs less than one year since the prior conveyance, and 10 percent if the transfer occurs more than one year but less than two years since the prior conveyance.

The flip tax established in this legislation will be imposed only on properties of one to five separate residential units. Exempt from this legislation are the following:

- Property owners conveying property to a family member
- Property owners who demonstrate a financial hardship which justifies the flip
- Property which was conveyed within one year of the death of the property owner
- Property being sold as new housing
- Property which the conveyance or value conveyed is less than or equal to the consideration or value of such property conveyed at the time of the prior conveyance
- Property which is otherwise exempt from payment of a real property transfer tax

Lastly, the flip tax will expire two years after the conveyance of the property.



**EFFECTIVE DATE:** This law would take effect 90 days after it becomes law and would apply to conveyances occurring on or after such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues (+)</b>	\$59,525,926	\$83,561,296	\$83,561,296
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$59,525,926	\$83,561,296	\$83,561,296

**IMPACT ON REVENUES:** The proposed bill would increase revenues in Fiscal 2018 by \$59.5 million due to the increased tax for resales within two years of the prior sale. Based on recent estimates of annual resale transactions within two years of the prior sale, Council Finance estimates that a total of \$120 million could be raised from the flip tax. However, the tax is expected to disincentives flipping of properties across the City by 30 percent according to recent literature. Additionally, the revenue from the Real Property Transaction Tax will decrease by approximately \$4.5 million, bringing the expected revenue increase to \$79.4 million. Given the effective date is 90 days after the bill becomes law, the Fiscal 2018 revenue is additionally sheared down for three quarters only, for a total of \$59.5 million in expected increased revenue. It is difficult to forecast the exact effect of the disincentive on the number of transactions that would be deterred through the flip tax. While literature suggest a decline of 30 percent, the effect could be much higher.

**IMPACT ON EXPENDITURES:** None

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** The New York City Council Finance Division

**ESTIMATE PREPARED BY:** Maria Enache, Senior Economist, City Council Finance Division

**ESTIMATE REVIEWED BY:** Emre Edev, Assistant Director, City Council Finance Division

**LEGISLATIVE HISTORY:** This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 6, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 6, 2017.

**DATE PREPARED:** June 5, 2017.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, BILL PERKINS; Committee on State and Federal Legislation, June 6, 2017. *Other Council Members Attending: Council Member Miller.*

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Resolution No. 3

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.6460, and Assembly Member Abbate, A.8055, “AN ACT to amend the retirement and social security law, in relation to the definition of additional member contributions and basic member contributions for certain New York City employees’ retirement system members who are subject to certain retirement plans under articles 14 and 15 of the retirement and social security law, to allow such additional member contributions to be used, to offset a deficit of basic member contributions, or to allow an excess of basic member contributions to offset a deficit of additional member contributions upon retirement.”**

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 6, 2017, respectfully

**REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution [SLR] by the Council. By adopting this SLR, the Council would be formally requesting the New York State Legislature to act favorably in this matter)*

**BACKGROUND:**

The purpose of this legislation is to cure several administrative ailments that currently exist at the New York City Employees’ Retirement System (NYCERS). This bill will expand the definition of additional member contributions and basic member contributions by permitting a participant of one of the Special Plans to, upon retirement, use a surplus in their additional member contributions account to offset a deficit in their basic member contributions, and likewise use a surplus in their basic member contributions account to offset a deficit in their additional member contributions account. Currently, Special Plans additional member contributions and basic member contributions must only be used to satisfy the requirements of the type of contributions that it was originally collected for. The law states that the contributions cannot be used for any other purpose.

The current law also holds that all additional member contributions to be paid prior to retirement and the Special Plan participant has a deficit, the participant will either not be eligible for a retirement benefit under the plan or the participant must retire with an actuarial reduction, the participant must first pay the retirement system the balance of a deficit in additional member contributions before the participant may retire. As a result of the law’s prohibition on the use of additional member contributions, NYCERS and the Special Plan participant must undergo a series of costly and timely administrative steps that retirement NYCERS to process the surplus and the deficit separately. NYCERS must process a check to refund money from a surplus in one account, only to make the participant pay back the deficit in another account before the member may retire under his or her respective Special Plan.

The proposed legislation cures these technical problems. This bill will permit NYCERS upon the member’s retirement to use a surplus of additional member contributions to remedy a deficit in the member’s basic member contributions and vice versa. The effect is that that the legislation eliminates the need for all of the separate processing steps. This bill will also eliminate the need for NYCERS to request payment from the participant before they may retire, thus expediting the retirement process and reducing the risk of a Special

Plan participant being ineligible for a retirement benefit or receiving a reduced retirement benefit under his or her respective Special Plan. This legislation will increase the administrative efficiency of NYCERS and eliminate burdens on Special Plan participants.

**PROPOSED LEGISLATION:**

Section 1 of this legislation amends subparagraph (i) of paragraph 8 of subdivision (e) of section 504-a of the Retirement and Social Security Law, as amended by chapter 631 of the laws of 1993 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 2 of the legislation amends subparagraph (i) of paragraph 12 of subdivision (e) of section 504-a of the Retirement and Social Security Law, as amended by chapter 631 of the laws of 1993 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 3 of the legislation amends subparagraph (i) of paragraph 9 of subdivision (e) of section 504-d of the Retirement and Social Security Law, as amended by chapter 622 of the laws of 2004 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 4 of this legislation amends subdivision (d) of Section 517 of the Retirement and Social Security Law, as added by chapter 890 of the laws of 1979 to hold that a plan participant may elect to use a surplus of basic member contributions to offset a deficit of additional member contributions.

Section 5 of the legislation amends subparagraph (i) of paragraph 8 of subdivision (e) of section 604-a of the Retirement and Social Security Law, as amended by chapter 547 of the laws of 1992 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 6 of the legislation amends subparagraph (i) of paragraph 9 of subdivision (e) of section 604-b of the Retirement and Social Security Law, as amended by Chapter 529 of the laws of 1994 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 7 of the legislation amends subparagraph (i) of paragraph 9 of subdivision (e) of section 604-c of the Retirement and Social Security Law, as amended by Chapter 96 of the laws of 1995 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 8 of the legislation amends subparagraph (i) of paragraph 8 of subdivision (e) of section 604-c of the Retirement and Social Security Law, as amended by Chapter 472 of the laws of 1995 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 9 of the legislation amends subparagraph (i) of paragraph 6 of subdivision (e) of section 604-d of the Retirement and Social Security Law, as amended by Chapter 96 of the laws of 1995 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 10 of the legislation amends subparagraph (i) of paragraph 10 of subdivision (e) of section 604-e of the Retirement and Social Security Law, as amended by Chapter 576 of the laws of 2000 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member

contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 11 of the legislation amends subparagraph (i) of paragraph 10 of subdivision (e) of section 604-e of the Retirement and Social Security Law, as amended by Chapter 577 of the laws of 2000 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 12 of the legislation amends subparagraph (i) of paragraph 10 of subdivision (e) of section 604-f of the Retirement and Social Security Law, as amended by Chapter 559 of the laws of 2001 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 13 of the legislation amends subparagraph (i) of paragraph 10 of subdivision (e) of section 604-f of the Retirement and Social Security Law, as amended by Chapter 582 of the laws of 2001 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 14 of the legislation amends subparagraph (i) of paragraph 10 of subdivision (e) of section 604-g of the Retirement and Social Security Law, as amended by Chapter 414 of the laws of 2002 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 15 of the legislation amends subparagraph (i) of paragraph 10 of subdivision e of section 604-h of the Retirement and Social Security Law, as amended by Chapter 682 of the laws of 2003 to hold that upon a participant's separation from city service as a result of retirement, a surplus of such additional member contributions that are paid into the retirement system's contingent reserve fund may be used for the sole purpose of offsetting a deficit of basic member contributions.

Section 16 of the legislation amends section 613 of the Retirement and Social Security Law by adding subdivision (h) which holds that upon the participant's separation from city service as a result of retirement, a participant may use any excess basic member contributions to offset a deficit of additional member contributions as required by the previous sections of this law. Further, the use of basic member contributions to offset a deficit of additional member contributions does not affect the contributions' tax designation pursuant to section 414(h) of the Internal Revenue Code.

Section 17 is the effective date.

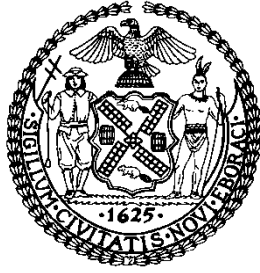
**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

The law shall take effect immediately.

**(The following is the text of the Fiscal Impact Statement for SLR. No. 3:)**



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

**PRE CONSIDERED SLR 3:** S6460 / A8055  
**COMMITTEE:** State and Federal Legislation

**TITLE:** AN ACT to amend the retirement and social security law, in relation to the definition of additional member contributions and basic member contributions for certain New York City employees' retirement system members who are subject to certain retirement plans under articles 14 and 15 of the retirement and social security law, to allow such additional member contributions to be used to offset a deficit of basic member contributions, or to allow an excess of basic member contributions to offset a deficit of additional member contributions upon retirement.

**SPONSOR(S):** Karen Koslowitz

**SUMMARY OF LEGISLATION:** This bill would eliminate the need for New York City Employees' Retirement System (NYCERS) to request payment from certain Special Plan members if they have a deficit in their Member Contribution Accumulation Fund (MCAF) before that member can retire, so long as he or she has a surplus in their Retirement Reserve Fund (RRF). Similarly, upon retirement, a member will be able to use a surplus from their MCAF to offset a deficit in their RRF.

As the law currently stands, MCAF and RRF contributions must only be used to satisfy the requirements of the type of contribution that it was originally collected for. This requires NYCERS to process a surplus and deficit separately upon the retirement of a member. In other words, NYCERS must process a check to refund money from a surplus in one account, only to make the participant pay back the deficit in another account before the member may retire under his or her respective. This legislation will increase the administrative efficiency of NYCERS and eliminate burdens on Special Plan participants. According to the City's Office of the Actuary, this proposed legislation will have no impact on benefits of NYCERS' members.

**EFFECTIVE DATE:** This State act would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** N/A

**FISCAL IMPACT STATEMENT:**

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY18
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be no impact on revenues from this legislation.

**IMPACT ON EXPENDITURES:** The City’s Office of the Actuary estimates that the proposed legislation would not result in any change in employer contributions, and thus would not have any impact on City Expenditures.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** The New York City Council Finance Division  
New York City Office of the Actuary “Fiscal Note 2017-10”

**ESTIMATE PREPARED BY:** Kendall Stephenson, Economist, City Council Finance Division

**ESTIMATE REVIEWED BY:** Paul Sturm, Supervising Economist, City Council Finance Division

**LEGISLATIVE HISTORY:** This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 6, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 6, 2017.

**DATE PREPARED:** June 5, 2017.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor’s Memorandum-in Support from each house, please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).**

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S. LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, BILL PERKINS; Committee on State and Federal Legislation, June 6, 2017.  
*Other Council Members Attending: Council Member Miller.*

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 State and Federal Legislation and had been favorably reported for adoption.

Report for State Legislation Resolution No. 4

**Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bill introduced by Assembly Member Farrell, A.7464, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates in the city of New York.”**

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on June 6, 2017, respectfully

## **REPORTS:**

*(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution [SLR] by the Council. By adopting this SLR, the Council would be formally requesting the New York State Legislature to act favorably in this matter)*

### **BACKGROUND:**

The underlying legislation extends the Personal Income Tax (“PIT”) and other tax rates that are important components of the City’s tax base and help fund critical municipal services such as the police department, fire department, schools, youth and senior programs, and healthcare. The revenue from the extension of these taxes will continue to generate \$7 billion in revenue annually. The revenue is important toward providing the City of New York the ability to function and provide its residents basic services.

### **PROPOSED LEGISLATION:**

Sections 1 and 10 of the legislation amends section 1212-A (a) (3) of the Tax Law and Section 11-2040(a) of the New York City Administrative Code relating to the City’s 4.5 percent sales tax on credit rating and credit reporting services. The tax was subject to sunset on November 30, 2017, this legislation extends the tax an additional three years, to November 30, 2020.

Section 2 of the legislation amends section 1301(a) of the Tax Law, relating to PIT of the residents of the City. This legislation authorizes the City to extend the existing rates of the PIT for an additional three years (for taxable years beginning before 2021) and delays the implementation of lower personal income tax rates (the rates set forth in Tax Law section 1304(b)) for three years (until taxable years beginning after 2020). Section 6 makes a conforming change to section 11-1701 of the Administrative Code, which relates to PIT. The amendment extends the existing PIT rates for an additional three years (for taxable years beginning before 2021) and delays the implementation of lower personal income tax rates (the rates set forth in 11-1701(b)) for three years (until taxable years beginning after 2020).

Sections 3 and 7 of the bill amend Tax Law section 1304(b) and the section 11-1701(b) of the Administrative Code, relating to the tax on PIT. These sections make conforming changes to the lower PIT rates, delaying their implementation for three years (until taxable years beginning after 2020).

Sections 4 and 8 amend Tax Law section 1304-B (a) and the section 11-1704.1(a) (1) of the Administrative Code, relating to the additional tax on City’s taxable income. The Tax Law amendment authorizes the City to impose the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2021) and extends the authority of the City to reduce the additional tax by local law for taxable years beginning before 2021. The Administrative Code amendment imposes the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2021).

Sections 5, 12 and 13 of the legislation amends section 11-604(1)(E) of the Administrative Code, Chapter 884 of the Laws of 1975 and Chapter 882 of the Laws of 1977, relating to the City general corporation tax. The current tax rate is the greater of 8.85 percent on income, 1.5 mills on business and investment capital, 8.85 percent of 15 percent of income plus the amount of salaries and other compensation paid to any person who at any time during the taxable year owned more than 5 percent of the taxpayer’s capital stock or a minimum tax based on the amount of New York City receipts. There is also a 0.75 mill tax on subsidiary capital. (On January 1, 2018, the rates are scheduled to drop to 6.7 percent, 1 mills, 6.7 percent and \$25, respectively, and 0.5 mil on subsidiary capital.) The amendments will continue the current rates until December 31, 2020.

Section 9 of the legislation amends section 11-2002(a) of the Administrative Code, which relates to the 4.5 percent sales tax on beauty and barbering services. The amendment imposes the tax for an additional three years (until November 30, 2020).

Section 11 of the legislation amends Chapter 877 of the laws of 1975, relating to the New York City cigarette tax. The current cigarette tax rate is 75 cents for each ten cigarettes, but it is set to decline to between 2 and 4 cents for each ten cigarettes, depending on tar and nicotine content, as of January 1, 2018. The amendment extends the existing rate of tax for an additional three years (until December 31, 2020).

Section 14 of the legislation defines the date of when the law takes effect.

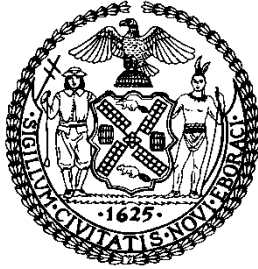
**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

This legislation shall take effect immediately.

(The following is the text of the Fiscal Impact Statement for SLR. No. 4:)



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

**PRE CONSIDERED SLR 4:** A7464  
**COMMITTEE:** State and Federal Legislation

---

**TITLE:** AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.

**SPONSOR(S):** Karen Koslowitz

**SUMMARY OF LEGISLATION:** This bill would extend the authority beneath a variety of taxes and/or associated rates for a further three (3) years. Those affected include the City's personal income tax rates, the general corporation tax rates, sales taxes on credit rating and reporting services and on beauty and barbering services, and the cigarette tax rate.

The bill extends the existing rates of the personal income tax for an additional three years (taxable years beginning before 2021) and delays the implementation of lower rates. This bill also extends the additional tax on City personal income at the rate of 14 percent for an additional three years (taxable years beginning before 2021). The bill also extends the current rates of the City's General Corporation Tax (GCT) until December 31, 2020, and delays the implementation of lower rates. The bill extends the 4.5 percent sales tax on credit rating and reporting services and on beauty and barbering services for an additional three years (until November 30, 2020). Lastly, the bill extends the existing cigarette tax rate of 75 cents for each ten cigarettes for an additional three years (until December 31, 2020), and delays the implementation of lower rates.

**EFFECTIVE DATE:** This State act would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** N/A

---



**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** The financial plan assumes the authority regarding taxes covered by this legislation will continue beyond their respective sunset dates this year. Because of this, there would be no impact on revenues from this legislation. These taxes have been in effect for around four decades, and have become an accepted and expected part of the City's tax and budgeting structure.

**IMPACT ON EXPENDITURES:** None

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** The New York City Council Finance Division

**ESTIMATE PREPARED BY:** Kendall Stephenson, Economist, City Council Finance Division

**ESTIMATE REVIEWED BY:** Paul Sturm, Supervising Economist, City Council Finance Division

**LEGISLATIVE HISTORY:** This bill will be voted out of the State and Federal Legislation Committee as a Preconsidered SLR on June 6, 2017. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 6, 2017.

**DATE PREPARED:** June 5, 2017.

*Accordingly, this Committee recommends its adoption.*

**(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bill and the State Sponsor's Memorandum-in Support, please refer to the New York State Assembly at <http://nyassembly.gov/leg/>).**

KAREN KOSLOWITZ, *Chairperson*; BRADFORD S, LANDER, RAFAEL L. ESPINAL. Jr., BEN KALLOS, ALAN N. MAISEL, BILL PERKINS; Committee on State and Federal Legislation, June 6, 2017. *Other Council Members Attending: Council Member Miller.*

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 Youth Services

Report for Int. No. 709-A

### Report of the Committee on Youth Services in favor of approving, as amended, a Local Law to amend the New York city charter, in relation to a disconnected youth workforce development program.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on March 27, 2015 (Minutes, page 1985), respectfully

#### REPORTS:

#### INTRODUCTION

On May 30, 2017, the Committee on Youth Services, Chaired by Council Member Mathieu Eugene, will hold a hearing on Proposed Int. No. 709-A, a local law in relation to a disconnected youth workforce development program within the Department of Small Business Services (SBS). This will be the second hearing on this legislation. The first hearing was held on November 22, 2016. At the hearing, witnesses invited to testify included representatives from the Department of Youth and Community Development (DYCD), the Mayor's Center for Economic Opportunity (CEO), the Young Men's Initiative, advocates, and service providers.

#### BACKGROUND

For many young adults aged 18-24, this period of their life marks the time that many finish their education and take formal steps to enter the labor market.<sup>1</sup> While many youth decide to continue their education and pursue a college degree, others prefer to enter the job market. Studies have shown that full-time employment at an early age can translate to significantly higher wages as an adult.<sup>2</sup> Part-time work for young people who are enrolled in school also has a strong correlation to their wages after they complete their education.<sup>3</sup> Conversely, long periods of unemployment among youth have been shown to have severe negative effects on their future employment and earnings.<sup>4</sup>

#### CHARACTERISTICS OF OSOW YOUTH

In New York City (City), there are an estimated 172,000 young adults who are out of school and out of work (OSOW). An additional 133,000 young adults work in low-wage jobs with limited opportunities for advancement.<sup>5</sup> Collectively, these young adults comprise 35% of the City's 18 to 24 youth population.<sup>6</sup> Many have been ill-equipped by public education and cut-off from opportunities to explore their career interests and define their identities as workers.<sup>7</sup> Currently, 65% of OSOW youth don't have a high school diploma, while only 37% have a high school diploma.<sup>8</sup> Most of these youth are forced to accept the grim reality of living life

---

<sup>1</sup> JobsFirstNYC, *Barriers to Entry: The Increasing Challenges Faced by Young Adults in the New York City Labor Market*, 2013, available at, [http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC\\_Barriers\\_to\\_Entry\\_5-2-13.pdf](http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC_Barriers_to_Entry_5-2-13.pdf)

<sup>2</sup> *Id.* at 3.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> JobsFirstNYC, *Unleashing the Economic Power of the 35 Percent*, 2, July 2014, available at, [http://www.jobsfirstnyc.org/uploads/Unleashing\\_the\\_Economic\\_Power\\_of\\_the\\_35\\_Percent\\_JobsFirstNYC\\_July\\_2014v2.pdf](http://www.jobsfirstnyc.org/uploads/Unleashing_the_Economic_Power_of_the_35_Percent_JobsFirstNYC_July_2014v2.pdf)

<sup>6</sup> JobsFirstNYC, *Unleashing the Economic Power of the 35 Percent*, 2, July 2014, available at, [http://www.jobsfirstnyc.org/uploads/Unleashing\\_the\\_Economic\\_Power\\_of\\_the\\_35\\_Percent\\_JobsFirstNYC\\_July\\_2014v2.pdf](http://www.jobsfirstnyc.org/uploads/Unleashing_the_Economic_Power_of_the_35_Percent_JobsFirstNYC_July_2014v2.pdf)

<sup>7</sup> *Id.*

<sup>8</sup> JobsFirstNYC, *Barriers to Entry: The Increasing Challenges Faced by Young Adults in the New York City Labor Market*, 7, 2013, available at, [http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC\\_Barriers\\_to\\_Entry\\_5-2-13.pdf](http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC_Barriers_to_Entry_5-2-13.pdf)

on the economic margins which means they may never be able to achieve economic self-sufficiency, contribute to their economies, or be able to support themselves and their families.<sup>9</sup>

The OSOW youth population consists of three subgroups; (1) the unemployed (39%),<sup>10</sup> (2) those not working or in the labor force for family care reasons (approximately 37%).<sup>11</sup> Most of these youth are caring for their own children, while others are taking care of siblings, parents, grandparents, or other family members.<sup>12</sup> (3) Those who are not in the labor force (NILF) for other reasons (24%).<sup>13</sup> NILF youth are usually less educated and poorer but may have some work experience.<sup>14</sup> While many of the NILF youth are discouraged workers who gave up their job search because they felt their chances were too remote to find jobs, the difficulty in finding employment is the common strand that explains the status of many OSOW youth.<sup>15</sup> In 2010 to 2011, the population of OSOW youth increased to 47% from less than 41% in 2000 to 2001, underscoring how difficult it is for young adults to find work in the last decade.<sup>16</sup> These high rates of OSOW youth are in sharp contrast to the education attainment of other young adults in the past decade. For example, young adults aged 21-24 years old acquiring a four year degree rose from 25% in 2000 to 37% at the end of the decade.<sup>17</sup> Conversely, the percentage of youth without a high school education fell from 18% to 12%.<sup>18</sup> Despite those gains, the number of OSOW youth remains high.<sup>19</sup>

OSOW youth are disproportionately concentrated in 18 of the City's 55 communities that are considered opportunity deserts characterized by high poverty, high overall unemployment, and lower levels of educational attainment.<sup>20</sup> These communities are also predominantly Black and Latino.<sup>21</sup> The rates of OSOW youth in these communities far exceed the citywide average, a result of past and present injustices that have disconnected them from mainstream institutions such as school and the labor market.<sup>22</sup> Additionally, OSOW youth are far more likely to live in households whose incomes are below the federal poverty line than all other youth (34% versus 24%).<sup>23</sup> For OSOW youth growing up in these communities, their family, peer networks, and communities at large can also negatively reinforce the idea that academic or professional success is not attainable.<sup>24</sup> The predicament of OSOW youth is further complicated by their involvement in the criminal justice system.<sup>25</sup> Many have criminal records for possession of relatively small amounts of marijuana discovered as a result of the stop and frisk operations.<sup>26</sup> As a result, without access to good schools, mentors, and the labor market, it becomes difficult for many youth to break the patterns of inequity that have been institutionalized over time.<sup>27</sup>

Additionally, for OSOW youth, finding employment has been particularly difficult due to the City's shifting job trends.<sup>28</sup> Job growth has been concentrated in sectors characterized by low wages, while sectors that hired less educated young adults and older workers while paying a middle-class wage have been

---

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at 4

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at 8.

<sup>13</sup> JobsFirstNYC, *Barriers to Entry: Increasing Challenges Faced by Young Adults in the New York City Labor Market*, 4, 2013, available at, [http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC\\_Barriers\\_to\\_Entry\\_5-2-13.pdf](http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC_Barriers_to_Entry_5-2-13.pdf)

<sup>14</sup> *Id.* at 8.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* at 7.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> JobsFirstNYC, *Unleashing the Economic Power of the 35 Percent*, 14, July 2014, available at, [http://www.jobsfirstnyc.org/uploads/Unleashing\\_the\\_Economic\\_Power\\_of\\_the\\_35\\_Percent\\_JobsFirstNYC\\_July\\_2014v2.pdf](http://www.jobsfirstnyc.org/uploads/Unleashing_the_Economic_Power_of_the_35_Percent_JobsFirstNYC_July_2014v2.pdf)

<sup>26</sup> *Id.*

<sup>27</sup> JobsFirstNYC, *Barriers to Entry: Increasing Challenges Faced by Young Adults in the New York City Labor Market*, 7, 2013, available at, [http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC\\_Barriers\\_to\\_Entry\\_5-2-13.pdf](http://fiscalpolicy.org/wp-content/uploads/2013/04/JFNYC_Barriers_to_Entry_5-2-13.pdf)

<sup>28</sup> *Id.* at 5.

declining.<sup>29</sup> As a result, more adult and experienced workers are funneled into jobs that were traditionally occupied by less educated and less experienced workers.<sup>30</sup> For example, sectors that have experienced the largest growth include retail, health, education, social services, etc.<sup>31</sup> These are also the same sectors where 3 out of every 5 young adults work, and where two-thirds of young adults with less education (high school or less) find employment.<sup>32</sup>

### **THE CITY'S EMPLOYMENT CHALLENGE**

The City was able to rebound economically from the recent national economic recession. As of October 2015, the City was home to 4.26 million jobs, and the unemployment rate was 4.8%, which was at its lowest since the recession, wages rose by 4% with almost all the job sectors contributing to that growth.<sup>33</sup> However, nearly one-third of the 364,450 private sector jobs added between 2009 and October 2015 were in the low-wage sectors,<sup>34</sup> contributing to the nearly one million working City residents making less than \$20,000 per year.<sup>35</sup> This surplus of low wage workers with no viable means of getting ahead has contributed to poor working conditions that are bad for both workers and businesses. At the other end of the spectrum, employers offering high skill quality jobs in industries such as healthcare, technology, and modern manufacturing are facing a shortage of skilled labor.<sup>36</sup> For the City, this represents an opportunity to strengthen its labor market and economy.<sup>37</sup>

Currently, the City's workforce system is not designed to address these challenges.<sup>38</sup> For the past 20 years, the workforce system shifted from job training to job placement without any strategic focus on high-value economic sectors.<sup>39</sup> Additionally, the workforce system failed to adapt its practices to the changing market conditions.<sup>40</sup> For example, approximately two-thirds of the \$500 million spent annually on workforce services was allocated to programs that connect jobseekers to entry level positions with low wages and limited prospects for advancement.<sup>41</sup> Only 7% of that budget is dedicated to training programs that provide skills geared towards career track jobs with opportunities for advancement.<sup>42</sup>

Also, the fragmented state of the workforce has made it difficult to address unemployment challenges in the City.<sup>43</sup> For years, City agencies have maintained disparate goals and processes which lead to uncoordinated program offerings and confusion among jobseekers and employers.<sup>44</sup> Moreover, connecting the City's economic development investments and spending to potential employment and career advancement opportunities has been a challenge for the City.<sup>45</sup>

Currently, the City operates 17 Workforce1 Centers<sup>46</sup> under the Department of Small Business Services (SBS) which prepares and connects qualified candidates to employment opportunities.<sup>47</sup> There are 20 Job

---

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> NYC, *Career Pathways: Progress Update*, 5, 2015, available at, <http://www1.nyc.gov/assets/careerpathways/downloads/pdf/Career-Pathways-Progress-Update.pdf>

<sup>34</sup> *Id.* at 5.

<sup>35</sup> NYC, *Career Pathways: One City Working Together*, 11, available at, <http://www1.nyc.gov/assets/careerpathways/downloads/pdf/career-pathways-full-report.pdf>

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> JobsFirstNYC, *A Network of Youth Opportunity Centers*, 1, available at, [http://www.jobsfirstnyc.org/uploads/A\\_NETWORK\\_OF\\_YOUTH OPPORTUNITY CENTERS.pdf](http://www.jobsfirstnyc.org/uploads/A_NETWORK_OF_YOUTH OPPORTUNITY CENTERS.pdf)

<sup>47</sup> NYC Small Business Services, *WORKFORCE1*, available at, <http://www.nyc.gov/html/sbs/html/seekers/seekers.shtml>

Centers under the Human Resources Administration (HRA)<sup>48</sup> which offer employment services that help job seekers by providing training, resume writing, literacy, and job search support.<sup>49</sup> The Department of Education (DOE) has five Referral Centers for High School Alternatives.<sup>50</sup> However, none of these are specifically tailored to address the unique challenges facing OSOW youth.<sup>51</sup> Only DYCD and the Mayor's Center for Economic Opportunity (CEO), have programs that are designed to address the needs of OSOW youth. Both programs accept a limited number of applicants.

### **THE CITY'S EFFORTS TO ADDRESS CURRENT EMPLOYMENT ISSUES**

To address these challenges, Mayor Bill de Blasio's Administration (the Administration) has taken the following steps.<sup>52</sup> First, the Administration established the Mayor's Office of Workforce Development to serve as the coordinating entity for the City's workforce initiatives.<sup>53</sup> Secondly, Mayor de Blasio then convened the Jobs for New Yorkers Task Force (the Task Force) comprised of members from government agencies, businesses, educational institutions, organized labor, nonprofits, and philanthropy, to articulate goals for the new workforce system.<sup>54</sup>

The task force developed several recommendations for building a workforce system.<sup>55</sup> These recommendations include:

1. Supporting career advancement and income mobility by helping jobseekers and incumbent workers address educational needs and develop high-demand skills;
2. Ensuring that businesses in the City can find the talent they need within the five boroughs;
3. Improving the quality of low-wage jobs to benefit both workers and their employers;
4. Leveraging the City's economic development investments and purchasing power to place more New Yorkers into jobs; and
5. Functioning as a coherent system that rewards job quality instead of the quantity of job placements by using system-wide job outcome data.

To achieve this, the Task Force made three recommendations in key policy areas; (1) build skills employers seek, (2) improve job quality, and (3) increase system and policy coordination.<sup>56</sup>

To build skills employers need, the workforce system will significantly expand its capacity to provide job-relevant skills and education.<sup>57</sup> To accomplish this, the City will implement two interrelated and mutually-dependent strategies called Industry Partnerships and Career Pathways.<sup>58</sup> Industry partnerships will consist of industry experts focused on addressing mismatches between labor market supply and demand in six economic sectors,<sup>59</sup> namely healthcare, technology, industrial/manufacturing, construction, retail, and food service.<sup>60</sup> To define and fulfill labor demand relevant to those sectors, Industry Partnerships will work to determine the skills and qualifications that employers require.<sup>61</sup> The focus will be on training more City residents for jobs

<sup>48</sup> JobsFirstNYC, *A Network of Youth Opportunity Centers*, 1, available at, [http://www.jobsfirstnyc.org/uploads/A\\_NETWORK\\_OF\\_YOUTH\\_OPPORTUNITY\\_CENTERS.pdf](http://www.jobsfirstnyc.org/uploads/A_NETWORK_OF_YOUTH_OPPORTUNITY_CENTERS.pdf)

<sup>49</sup> NYC Human Resources Administration, *Employment Services*, available at, <http://www1.nyc.gov/site/hra/help/employment-services.page>

<sup>50</sup> JobsFirstNYC, *A Network of Youth Opportunity Centers*, 1, available at, [http://www.jobsfirstnyc.org/uploads/A\\_NETWORK\\_OF\\_YOUTH\\_OPPORTUNITY\\_CENTERS.pdf](http://www.jobsfirstnyc.org/uploads/A_NETWORK_OF_YOUTH_OPPORTUNITY_CENTERS.pdf)

<sup>51</sup> *Id.*

<sup>52</sup> NYC, *Career Pathways: One City Working Together*, 11, available at, <http://www1.nyc.gov/assets/careerpathways/downloads/pdf/career-pathways-full-report.pdf>

<sup>53</sup> *Id.* at 12.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> *Id.* at 12.

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> *Id.* at 13.

<sup>61</sup> *Id.*

with career potential and improving the quality of low-wage occupations.<sup>62</sup> This will also include creating ongoing “feedback loops,” or a platform that will enable them to determine the skills and qualifications employers need while continuously updating the curricula, training, and credential attainment programs to respond to the market conditions.<sup>63</sup> As part of its overall strategy, Industry Partnerships will collaborate with organized labor, educational institutions, service providers, philanthropy, and City agencies.<sup>64</sup>

Career Pathways is a new system-wide framework that aligns education and training with specific advancement opportunities for a broad range of jobseekers.<sup>65</sup> All City agencies that have workforce development programs will reorient their services toward career progression instead of focusing on job placement.<sup>66</sup> This will include sector-focused training programs, skills training, job-relevant curricula, and work-based learning opportunities.<sup>67</sup>

Additional recommendations made by the Task Force included:

- Investing \$60 million annually by 2020 in bridge programs that prepare low-skill jobseekers for entry level and middle-skill job training;
- Tripling the City’s training investment to \$100 million annually by 2020 in career-track, middle-skill occupations, including greater support for incumbent workers who are not getting ahead;
- Improving and expanding Career and Technical Education (CTE) and college preparedness programs, adjusting CUNY’s alternative credit policy, and investing in career counseling to increase educational persistence and improve support for students’ long-term employment prospects; and
- Increasing work-based learning opportunities for youth and high-need jobseekers.<sup>68</sup>

To improve job quality, the City will support the economic stability of its residents concentrated in low wage jobs by building on recently passed Living Wage and Paid Sick Leave Legislation.<sup>69</sup> Additionally, the workforce system will pursue a “raise the floor” strategy that rewards good business practices and promotes a baseline level of stability for low-wage workers.<sup>70</sup> The City will achieve this goal by creating a standard that recognizes “high-road employers” who have good business practices, with the goal of assessing at least 500 local businesses by the end of 2015.<sup>71</sup>

To increase system and policy coordination, the City’s economic development investments and contracts must be aligned with training and employment services to deliver value to both entities that receive public subsidies, and to job seekers and current workers.<sup>72</sup> This will also require agencies that are administering workforce programs to function cohesively by sharing metrics, definitions, requirements, processes, and data systems.<sup>73</sup> To meet this goal, the City will reimburse workforce agencies on the basis of job *quality* placements as opposed to job *quantity* placements by aligning service providers under system-wide data infrastructure that measures job outcomes such as full-time work, wage growth, and job continuity.<sup>74</sup> The City will also maximize local opportunities through the City’s contracts and economic development investments by establishing a “first look” hiring process and enforcing targeted hiring provisions in social service contracts.<sup>75</sup>

As of the last *Career Pathways Progress Update*, the Administration’s Center for Youth Employment (CYE) was focused on expanding employment opportunities for vulnerable youth in foster care and the shelter

---

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*

<sup>65</sup> *Id.* at 13.

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

<sup>71</sup> *Id.* at 14.

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> *Id.* at 14.

<sup>75</sup> *Id.*

system; deepening employer engagement in youth workforce programs as host sites, funders, and through partners; supporting career and technical education programs within the DOE; and binding the disparate programs across City agencies that provide workforce services for youth into a coherent and functional system.<sup>76</sup> Hence, while the City's efforts promise to modify the current workforce system, it is clear there are no new programs designed to specifically target OSOW youth and their unique needs.

### **EMPLOYER CONCERNS**

Employers have long understood the value that young people bring to the workplace. For example, many employers understand that young employees are creative, quick learners, especially with regard to technology, are flexible in terms of scheduling, and they lower labor costs.<sup>77</sup> More importantly, employers, especially small businesses, appreciate the importance of a highly skilled and well-educated work force vital to fill the human capital needs for future economic growth. For example, through 2020, the City is projected to gain 284,000 jobs that will require a bachelor's degree or more, while an additional 201,000 jobs will require an associate's degree or some college, and 72,000 jobs will require a high school degree.<sup>78</sup> Before the end of this decade, employer demand for employees with an associate degree will increase by 21%.<sup>79</sup>

However, many employers have cited concerns about the lack of skilled labor to meet their demands. One of the most commonly cited concerns was the lack of preparation and support for young adult workers.<sup>80</sup> Many employers noted that while they appreciated the ability of workforce providers (providers) to internalize their hiring needs and send qualified candidates, the provider's goals conflicted with their own goals.<sup>81</sup> Rather than send a candidate to help the business improve its bottom line, the service's goal was designed to keep the young adult out of trouble.<sup>82</sup> As a result, many young adults were more prepared to perform well on the interview but lacked the skills necessary to work in the new environment.<sup>83</sup> Employers observed that many of the candidates were not equipped with soft skills such as the ability to communicate well, being able accept constructive criticism, the interpersonal skills necessary to navigate the work environment, and specific occupational skills critical to the employer's needs.<sup>84</sup> To address this issue, some community based organizations like JobsFirstNYC<sup>85</sup> and the Lower East Side Employment Network (LESEN)<sup>86</sup> have taken steps to address employer concerns by taking the time to understand the employer's needs and work culture.<sup>87</sup> This has translated into enormous savings in time and money and better employee retention rates for the employer.<sup>88</sup>

---

<sup>76</sup> NYC, Career Pathways: Progress Update, 22, available at, <http://www1.nyc.gov/assets/careerpathways/downloads/pdf/Career-Pathways-Progress-Update.pdf>

<sup>77</sup> JobsFirstNYC, *Going Beyond the Bottom Line: Employer Perspectives on the Young Adult Workforce Development System in New York City*, 2, June 2012, available at, <http://www.jobsfirstnyc.org/uploads/JFNYCGoingBeyondtheBottomLine060412.pdf>

<sup>78</sup> Partnership for New York City, *NYC Jobs Blueprint*, 47, 2013, available at, <http://www.pfnyc.org/reports/2013-blueprint-web.pdf>

<sup>79</sup> *Id.*

<sup>80</sup> JobsFirstNYC, *Going Beyond the Bottom Line: Employer Perspectives on the Young Adult Workforce Development System in New York City*, 2, June 2012, available at, <http://www.jobsfirstnyc.org/uploads/JFNYCGoingBeyondtheBottomLine060412.pdf>

<sup>81</sup> *Id.* at 3.

<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

<sup>84</sup> *Id.* at 2.

<sup>85</sup> *Id.* at 3.

<sup>86</sup> JobsFirstNYC, *Innovations in the Field, Lower East Side Employment Network*, 6, 2015, available at, <http://www.jobsfirstnyc.org/uploads/JFNYCCaseStudiesLESENCompressed.pdf>

<sup>87</sup> JobsFirstNYC, *Going Beyond the Bottom Line: Employer Perspectives on the Young Adult Workforce Development System in New York City*, 2, June 2012, available at, <http://www.jobsfirstnyc.org/uploads/JFNYCGoingBeyondtheBottomLine060412.pdf>

<sup>88</sup> *Id.* at 7-8.

### DYCD's AND CEO's OSOW PROGRAMS.

DYCD has two programs that target OSOW youth, Out of School Youth (OSY)<sup>89</sup> and the Young Adult Internship Program (YAIP),<sup>90</sup>

OSY, funded through the federal government's Workforce Innovation and Opportunity Act (WIOA),<sup>91</sup> is a yearlong program for low-income youth between the ages of 16-24 who are neither working nor in school.<sup>92</sup> The program offers occupational skills training in many industries such as construction, food service, tourism, and retail as well as assistance with GED preparation, support services, and job and college placement.<sup>93</sup> Participants also receive twelve months of follow-up services after completing the program.<sup>94</sup> For the 2016 fiscal year (FY), OSY had a total of 1,543 participants of which 804 were male and 739 were female.<sup>95</sup> Of this number, 729 were high school dropouts, 732 were high school graduates, and 82 had a GED.<sup>96</sup> 294 were between the ages of 16-18 years old, 756 were between the ages of 19-21, and 493 were between the ages of 22-24.<sup>97</sup> 148 were White, 857 were Black, 512 were Hispanic or Latino, 26 were American Indian or Alaskan Native, 130 were Asian, and 6 were Native Hawaiian or Other Pacific Islander. 396 people did not include their ethnic background.<sup>98</sup>

Funded through the Mayor's Center for Economic Opportunity (CEO), the YAIP provides job-ready 16-24 year olds who are not working or in school placement in a short-term internship opportunity.<sup>99</sup> The YAIP offers 14 weeks of paid orientation, training and work, followed by 9 months of follow-up services and assistance in permanent jobs, training programs, and educational opportunities.<sup>100</sup> YAIP programs are located in community-based organizations in all five boroughs and offer placements in many industries including construction, hospitality, healthcare, and retail. For the 2016 FY, there were a total of 3231 applications, of which 1803 applicants enrolled.<sup>101</sup> There were 903 males, 901 females, and 4 who were listed as other.<sup>102</sup> By race, 1,088 were Black, 134 were Hispanics, 107 were White, 94 were Asian/Pacific Islander, and 385 were listed as other.<sup>103</sup> Of the 1,803 applicants, 1487 participants completed the internship.<sup>104</sup>

Another City program under CEO aimed at helping OSOW youth is Project Rise which targets OSOW youth between the ages of 18-24 years old who do not have a high school diploma or GED and have a reading level between the sixth and eighth grade.<sup>105</sup> Project Rise was modeled after two CEO programs, the Young

<sup>89</sup> NYC DYCD, *Out of School Youth(OSY) Program*, available at, <http://www1.nyc.gov/site/dycd/services/jobs-internships/out-of-school-youth-osy-program.page>

<sup>90</sup> NYC DYCD, *Young Adult Internship Program (YAIP)*, available at, <http://www1.nyc.gov/site/dycd/services/jobs-internships/young-adult-internship-program-yaip.page>

<sup>91</sup> The United States Department of Labor, *The Workforce Innovation and Opportunity Act Overview*, available at, <https://www.doleta.gov/wioa/Overview.cfm>; (WIOA is designed to help job seekers access employment, education, training, and support to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy); see also *The Workforce Innovation and Opportunity Act: Investing in America's Competitiveness*, available at, [http://edworkforce.house.gov/uploadedfiles/workforce\\_innovation\\_and\\_opportunity\\_act\\_-\\_one\\_pager.pdf](http://edworkforce.house.gov/uploadedfiles/workforce_innovation_and_opportunity_act_-_one_pager.pdf) (the legislation also requires improved outreach to disconnected youth by focusing on youth program services on OSOW youth, high school dropout recovery efforts, and attaining postsecondary credentials).

<sup>92</sup> NYC DYCD, *Out of School Youth(OSY) Program*, available at, <http://www1.nyc.gov/site/dycd/services/jobs-internships/out-of-school-youth-osy-program.page>

<sup>93</sup> *Id.*

<sup>94</sup> *Id.*

<sup>95</sup> DYCD provided information via email. The demographics also reflect applicants who identified with more than one racial group.

<sup>96</sup> *Id.*

<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

<sup>99</sup> NYC DYCD, *Young Adult Internship Program (YAIP)*, available at, <http://www1.nyc.gov/site/dycd/services/jobs-internships/young-adult-internship-program-yaip.page>

<sup>100</sup> *Id.*

<sup>101</sup> DYCD provided information via email.

<sup>102</sup> *Id.*

<sup>103</sup> *Id.*

<sup>104</sup> *Id.*

<sup>105</sup> NYC CEO, *Project Rise*, available at, [http://www.nyc.gov/html/ceo/html/initiatives/sif\\_rise.shtml](http://www.nyc.gov/html/ceo/html/initiatives/sif_rise.shtml)



Adult Literacy Program (YALP)<sup>106</sup> and the YAIP. An evaluation of both programs revealed that half of the young adults who completed the program remained engaged in education or job placements nine months after they complete their internships.<sup>107</sup>

## **CONCLUSION**

There is little doubt that the City is facing a youth employment crisis that, if left unchecked, promises to ensure that these young New Yorkers will continue to reside on the periphery of the City's economic prosperity unable to be part of the City's economic success. The numerous findings highlighted in this report strongly suggest that a renewed level of focus and a new approach is desperately needed to tackle the educational and employment needs of the young people buttressed by support services designed to address the unique challenges faced by OSOW youth.

At today's hearing, the Committee will examine how effective OSY, YAIP, and Project Rise are in addressing issues that confront OSOW youth. Additionally, the committee will seek to learn whether the City has any additional programs that are directed towards OSOW youth.

## **ANALYSIS OF PROPOSED INT. NO. 709-A**

This legislation would establish a disconnected youth program in the Department of Small Business Services (SBS). The program would be specifically designed to not only address the unique challenges that disconnected youth experience, but to also provide them with the necessary resources to seek and retain employment. SBS will also be required to develop and implement education and job training programs including entrepreneurial skills training, provide follow-up services, and financial literacy education. Additionally, the DYCD, the DOE, the HRA, and the Mayor's Office will be involved in the implementation of this legislation.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 709-A:)**

Int. No. 709-A

By Council Members Eugene, Chin, Lander, Kallos, Menchaca, Palma, Mealy and Cumbo.

### **A Local Law to amend the New York city charter, in relation to a disconnected youth workforce development program**

*Be it enacted by the Council as follows:*

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1308 to read as follows:

*§ 1308 Youth workforce development. a. For the purposes of this section:*

*Disconnected youth. The term "disconnected youth" means youth between the ages of 18 and 24 years, who are neither attending school nor employed.*

*b. The department shall administer a workforce development program for disconnected youth. The commissioner shall administer the provisions of this section to develop programs in consultation with the department of youth and community development to:*

*1. Identify obstacles impacting disconnected youth who seek the department's youth workforce development services, including but not limited to, issues related to transportation, child care, housing, health care and substance abuse, criminal justice, and language and cultural barriers;*

<sup>106</sup> *Id.* (YALP provides instruction for youth with low literacy and numeracy skills).

<sup>107</sup> *Id.*

2. *Ensure that disconnected youth are connected with city agencies or community based organizations that will enable them to address those obstacles;*

3. *Develop and implement or connect disconnected youth with education programs that will encourage disconnected youth to explore opportunities to pursue a college degree or a technical or vocational career education;*

4. *Develop and implement a job training program, based on career progression, that offers sector based training for high growth industries including, but not limited to, construction, transportation, technology, industrial/manufacturing, and health care;*

5. *Connect disconnected youth with financial literacy education resources offered through the city's agencies and community based organizations;*

6. *Provide entrepreneurial skills training;*

7. *Connect disconnected youth with on-going follow-up services, such as adult mentoring, work-related peer support groups, additional education or career pathway development training, for at least 12 months after they complete the job training program and/or are connected to employment opportunities;*

8. *Provide information regarding the complete array of services offered by the department; and*

9. *Make available labor market and employment information about New York city's high demand industry sectors or occupations obtained from state or federal government agencies, as appropriate.*

*c. The department, with the assistance of the department of youth and community development, shall coordinate with the appropriate agencies, including but not limited to, the human resources administration, the department of education, the mayor's office, and community based organizations, to implement the provisions of this section.*

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

MATHIEU EUGENE, *Chairperson*; ANNABEL PALMA, DARLENE MEALY, MARGARET S, CHIN, DAVID G. GREENFIELD, LAURIE A. CUMBO; Committee on Youth Services, May 30, 2017.

Laid Over by the Council.

**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:

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Gladys Ward	1501 Lexington Avenue #6B New York, N.Y. 10029	5
Karen Murdaugh	1219 Adeo Avenue #8E Bronx, N.Y. 10469	12
Yassed Baez	42-29 202nd Street Bayside, N.Y. 11361	19
Lauren Haugli	543 Kosciuszko Street #B Brooklyn, N.Y. 11221	36
Joshua Siegel	1190 Bushwick Avenue #1 Brooklyn, N.Y. 11221	37
Giuseppe DeSerio	243 Darlington Avenue Staten Island, N.Y. 10312	39
Aaron Perlman-Price	102 Lincoln Place Brooklyn, N.Y. 11217	43
Ember Ollom	340 78th Street Brooklyn, N.Y. 11209	51
Michael Atalla	50 Ambassador Lane Staten Island, N.Y. 10309	51
Frank Morano	28 Cranford Street Staten Island, N.Y. 10308	51

*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Yvette Pagan	82 Rutgers Slip #21D New York, N.Y. 10002	1
Mai L. Sommerfield	10 Catherine Slip #16E New York, N.Y. 10038	1
Louise E. Dankberg	152 East 22nd Street #5D New York, N.Y. 10010	2
Joanne M. Tarantino	50 Park Avenue #6H New York, N.Y. 10016	4
Antia Sapirman	65 West 90th Street New York, N.Y. 10024	6
Denise Dees	750 Columbus Avenue #4V New York, N.Y. 10025	7
Lavinia D. Gibson	180 West 152nd Street #1B New York, N.Y. 10039	9
Marcia E. McGann	4752 Barnes Avenue #1 Bronx, N.Y. 10470	11
Josh J. Neustein	3001 Arlington Avenue #1 Bronx, N.Y. 10463	11
Cynthia Blandino	921 East 226th Street Bronx, N.Y. 10466	11
Bernard Buckner	3959 Murdock Avenue Bronx, N.Y. 10466	11
Migdalia Rosas	1730-1740 Mulford Avenue #16F Bronx, N.Y. 10461	13
Elizabeth Vazquez-Taveras	3555 Bruckner Blvd #5D Bronx, N.Y. 10461	13
Alexander Opoku-Agyemang	1685 Selwyn Avenue #403 Bronx, N.Y. 10457	15
Arabella M. Poveriet	834 Cauldwell Avenue Bronx, N.Y. 10456	17
Betty Gonzalez	2215 Gleason Avenue Bronx, N.Y. 10462	18

Avonelle Greene	233 Admiral Lane Bronx, N.Y. 10473	18
Deidra Mellis	3-05 149th Place Whitestone, N.Y. 11357	19
Jamie Bocanumenth	37-25 81st Street #3D Queens, N.Y. 11372	21
Christina H. Fiore	30-16 42nd Street #1L Astoria, N.Y. 11103	22
Christine Diaz	139-15 83rd Avenue #538 Queens, N.Y. 11435	24
A.M. Ashfaquul S. Islam	84-07 57th Road #1K South Elmhurst, N.Y. 11373	25
Doris Brown	166-01 Linden Blvd #8J Jamaica, N.Y. 11434	27
Marie C. Coleman	175-45 88th Avenue #4E Queens, N.Y. 11432	27
Althea Flowers	215-05 104th Avenue Queens Village, N.Y. 11429	27
Beverly G. Perkins	104-28 196th Street St. Albans, N.Y. 11412	27
Audrey Marie Sparks-Fussa	100-50 200th Street Queens, N.Y. 11423	27
Joan Akers	134-19 166th Place #8C Jamaica, N.Y. 11434	28
Thakoordai Persaud	107-12 123rd Street Queens, N.Y. 11419	28
William Rogers	119-40 Union Turnpike #2B Queens, N.Y. 11415	29
Constance J. Davis	66-60 80th Street Middle Village, N.Y. 11379	30
Arlene Matos	64-04 Palmetto Street #1 Queens, N.Y. 11385	30
Christina Schiro	69-14 66th Place Glendale, N.Y. 11385	30

Alexandra L. Wenz	66-26 Hull Avenue Queens, N.Y. 11378	30
Wanda A. Clemons	130-67 224th Street Queens, N.Y. 11413	31
Karron Franklin	144-26 182nd Place Queens, N.Y. 11413	31
Pauline Getz	1246 Sage Street Queens, N.Y. 11691	31
Felix Milan Jr.	147-21 Weller Lane Rosedale, N.Y. 11422	31
Claudia Myrie	217-18 134th Road Queens, N.Y. 11413	31
Jannie L. Poullard	131-28 233rd Street Queens, N.Y. 11422	31
Roxanna Mora	87-81 95th Street Woodhaven, N.Y. 11421	32
Teresa I. Solis	84-06 Woodhaven Blvd #2 Woodhaven, N.Y. 11421	32
Valerie Butler	67 Manhattan Avenue #22T Brooklyn, N.Y. 11206	34
Standish Benton	117 Saint James Place #1 Brooklyn, N.Y. 11238	35
Lelia Frison	170 South Portland Avenue #3B Brooklyn, N.Y. 11217	35
Donald Lee	185 Hall Street #1205 Brooklyn, N.Y. 11205	35
Gerald Davis, Sr.	471 Willoughby Avenue Brooklyn, N.Y. 11206	36
Juan Calixto	4002 3rd Avenue #4 Brooklyn, N.Y. 11232	38
Consula J. Edwards	1800 Albemarle Road #9F Brooklyn, N.Y. 11226	40
Alexander E. Young	111 East 57th Street Brooklyn, N.Y. 11203	41

Barbara Friedman	400 Cozine Avenue #5A Brooklyn, N.Y. 11207	42
Winston L. Hoppie	884 East 95th Street Brooklyn, N.Y. 11236	42
Abraham Helfenbaum	7323 3rd Avenue Brooklyn, N.Y. 11209	43
Roxann Vitelli-Martorano	1164 76th Street Brooklyn, N.Y. 11228	43
Adam Scott Roth	7705 Bay Parkway #3G Brooklyn, N.Y. 11214	44
Cathy C. Calandra	2062 East 14th Street Brooklyn, N.Y. 11229	48
Margarita Mironov	2668 East 27th Street Brooklyn, N.Y. 11235	48
Irwin Shanberg	1877 East 19th Street Brooklyn, N.Y. 11229	48
Michelle Levine	1324 Forest Avenue #445 Staten Island, N.Y. 10302	49
IrMa Gaston	50 Hamden Avenue Staten Island, N.Y. 10306	50
Adrien Haagerman	57 Barbara Street Staten Island, N.Y. 10306	50
Loretta R. Magrino	10 Harbor View Place Staten Island, N.Y. 10305	50
Lena Marinaro	90 Sand Lane Staten Island, N.Y. 10305	50
Diane Peterson	12 Sheraden Avenue Staten Island, N.Y. 10314	50
Sarita Troiano	252 Moreland Street Staten Island, N.Y. 10306	50
Ann Brancale-Lombardo	984 Stafford Avenue Staten Island, N.Y. 10309	51
Josephine Garcia	459 Manhattan Street Staten Island, N.Y. 10307	51
John Spano	362 Ilyssa Way Staten Island, N.Y. 10312	51

Sandra M. Walsh	22 Kathy Place #1B Staten Island, N.Y. 10314	51
Rose Wegenaar	3334 Amboy Road Staten Island, N.Y. 10306	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) **M-467 -** Preliminary Expense Budget for Fiscal Year 2018, pursuant to Sections 225 and 236 of the New York City Charter **(Coupled to be Filed)**.
- (2) **M-468 -** January 2017 Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2017-2021, pursuant to Sections 101 and 213 of the New York City Charter **(Coupled to be Filed)**.
- (3) **M-469 -** Geographic Reports for Expense Budget for Fiscal Year 2018, pursuant to Sections 100 and 231 of the New York City Charter **(Coupled to be Filed)**.
- (4) **M-470 -** Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2018, pursuant to Sections 100, 212 and 231 of the New York City Charter **(Coupled to be Filed)**.
- (5) **M-471 -** Preliminary Contract Budget Report for Fiscal Year 2018, pursuant to Section 104 of the New York City Charter **(Coupled to be Filed)**.
- (6) **M-472 -** Preliminary Capital Budget, Fiscal Year 2018, pursuant to Section 213 and 236 of the New York City Charter **(Coupled to be Filed)**.
- (7) **M-473 -** Capital Commitment Plan, Fiscal Year 2018, Volumes 1, 2, 3, & 4 and the Capital Commitment Plan, Financial Summary, pursuant to Section 219 of the New York City Charter **(Coupled to be Filed)**.
- (8) **M-474 -** Preliminary Ten-Year Capital Strategy, Fiscal Years 2018-2027 **(Coupled to be Filed)**.

- (9) **M-498 & Res 1532 & Res 1533 -** Submitting the Expense Revenue Contract Budget, for Fiscal Year 2018, pursuant to Section 249 of the New York City Charter (**Budget Resolutions**).
- (10) **M-499 & Res 1534 & Res 1535 -** Submitting the Executive Capital Budget for Fiscal Year 2018, pursuant to Section 249 of the New York City Charter (**Budget Resolutions**).
- (11) **M-500 & Res 1536 -** Proposed City Fiscal Year 2018 Community Development Program, the Proposed CFY'18 Budget, the Proposed Reallocations-the CD XLIII Funds, Proposed CD XLIV Statement of Objectives and Budget, dated April 26, 2017 (**Community Development Program Budget Resolution**).
- (12) **M-501 -** Executive Budget Supporting Schedules, for Fiscal Year 2018 pursuant to Section 250 of the New York City Charter (**Coupled to be Filed**).
- (13) **M-502 -** Capital Commitment Plan, Executive Budget, Fiscal Year 2018, Volumes I, II, III and IV, pursuant to Section 219(d) (**Coupled to be Filed**).
- (14) **M-503 -** Executive Budget -Geographic Reports for Expense Budget for Fiscal Year 2018 (**Coupled to be Filed**).
- (15) **M-504 -** Executive Capital Budget Fiscal Year 2018, Capital Project Detail Data, Citywide Volumes 1 and 2 and Volumes for the Five Boroughs, dated April 26, 2017 pursuant to the provisions of Sections 213 (4) & 219 (D) (**Coupled to be Filed**).
- (16) **M-505 -** Message of the Mayor and Summary of Reduction Program relative to the Executive Budget, Fiscal Year 2018, pursuant to Section 249 (**Coupled to be Filed**).

- (17) **M-506 -** Ten-Year Capital Strategy, Fiscal Year 2018-2027.
- (18) **M-515 -** Transmitting recommendations of the interest rate to be charged for Fiscal Year 2018 (see Res. Nos. 1523 to 1527).
- (19) **M-516 & Res 1529 -** Transfer City funds between various agencies in Fiscal Year 2017 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (**MN-6**).
- (20) **M-517 & Res 1530** Appropriation of new revenues of \$361.1 million in Fiscal Year 2017, pursuant to Section 107(e) of the New York City Charter (**MN-7**).
- (21) **M-518 -** Submitting proposed amendment to the Five-Year Capital Plan FY 2015 – 2019.
- (22) **M-519 & Res 1537 -** Fixing the Tax Rate for the Fiscal Year 2018, adopted June 6, 2017 upon the recommendation of the Committee on Finance of the Council (**Tax-Fixing Resolution**).
- (24) **Res 1519 -** Extend provisions related to Mayoral control for two years.
- (25) **Res 1520 -** Computing and Certifying Base Percentage, Current Percentage and Current Base Proportion of Each Class of Real Property for Fiscal 2018 to the State Board of Real Property Services.
- (26) **Res 1521 -** Computing and Certifying Adjusted Base Proportion of Each Class of Real Property for Fiscal 2018 to the State Board of Real Property Services.
- (27) **Res 1522 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).

- (28) **Res 1523 -** Discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.
- (29) **Res 1524 -** The interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.
- (30) **Res 1525 -** The interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.
- (31) **Res 1526 -** The interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.
- (32) **Res 1527 -** The interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.
- (33) **Res 1531 -** THE AMENDMENT TO THE FIVE-YEAR EDUCATIONAL FACILITIES CAPITAL PLAN FOR 2015-2019 SUBMITTED BY THE CHANCELLOR. (see M-518).
- (34) **SLR 1 -** To pass bills introduced by Senator Lanza, **S.5088**, and Assembly Member Farrell, **A.6663 (SLR Home Rule item requiring two-thirds affirmative vote for passage)**.

- (35) **SLR 2 -** To pass bills introduced by Senator Hamilton, **S.6488**, and Assembly Member Dilan, **A.7406 (SLR Home Rule item requiring two-thirds affirmative vote for passage).**
- (36) **SLR 3 -** To pass bills introduced by Senator Savino **S.6460** and Assembly Member Abbate, **A.8055 (SLR Home Rule item requiring two-thirds affirmative vote for passage).**
- (37) **SLR 4 -** To pass a bill introduced by Committee on Rules **A.7464 (SLR Home Rule item requiring two-thirds affirmative vote for passage).**
- (38) **L.U. 631 & Res 1541 -** App. **20175315 TCM** Manhattan, Community Board 12, Council District 10.
- (39) **L.U. 632 & Res 1542 -** App. **20175235 TCM** Manhattan, Community Board 8, Council District 5.
- (40) **L.U. 643 & Res 1543 -** App. **C 150235 ZMK** Brooklyn, Community Board 2, Council District 33 (**Coupled to be Filed pursuant to a Letter of Withdrawal).**
- (41) **L.U. 644 & Res 1544 -** App. **N 150234 ZRK** Brooklyn, Community Board 2, Council District 33 (**Coupled to be Filed pursuant to a Letter of Withdrawal).**
- (42) **L.U. 647 & Res 1545 -** App. **20175286 TCM** Manhattan, Community Board 2, Council District 2.
- (43) **L.U. 648 & Res 1546 -** App. **20175360 TCM** Manhattan, Community Board 3, Council District 2.
- (44) **L.U. 656 & Res 1547 -** App. **20175421 HAX** Bronx, Community Board 5, Council Districts 14 and 15.

- (45) L.U. 657 & Res 1548 - App. 20175429 HAX Bronx, Community Board 6, Council District 17.
- (46) L.U. 658 & Res 1549 - App. 20175430 HAX Bronx, Community Boards 1 and 9, Council District 17.
- (47) L.U. 661 & Res 1550 - App. 20175433 HAX Bronx, Community Board 9, Council District 17.
- (48) L.U. 664 & Res 1551 - App. 20175436 HAX Bronx, Community Board 4, Council District 14.
- (49) L.U. 665 & Res 1552 - App. 20175437 HAX Bronx, Community Board 9, Council District 17.
- (50) L.U. 667 & Res 1553 - App. 20175422 HAX Bronx, Community District 5, Council District 14.
- (51) L.U. 668 & Res 1554 - App. 20175423 HAK Brooklyn, Community Board 7, Council District 38.
- (52) L.U. 669 & Res 1555 - App. 20175439 HAK Brooklyn, Community Board 7, Council District 38.
- (53) L.U. 670 & Res 1556 - App. 20175424 HAK Brooklyn, Community Board 7, Council District 38.
- (54) L.U. 671 & Res 1557 - App. 20175425 HAK Brooklyn, Community Board 7, Council District 38.
- (55) L.U. 673 & Res 1558 - App. 20175427 HAM Manhattan, Community Board 11, Council Districts 8.
- (56) L.U. 674 & Res 1538 - 140-26 Franklin Ave., Block 5182, Queens, Community District No. 7, Council District No. 20.
- (57) L.U. 675 & Res 1539 - Sutter Gardens, Brooklyn, Community District No. 5, Council District No. 42.

(58) **L.U. 676 & Res 1540 -** 569 Prospect Avenue, Bronx,  
Community District No. 1, Council  
District No. 8.

(59) **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** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose\*, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **49**.

*Present but Not Voting (PNV):* Mendez and Mealy.

**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 (Council Member Mendez should be considered as Present but Not Voting for all of the individual items listed below as well; in addition, Council Member Mealy should be considered Present but Not Voting for all of the individual items listed below due to her presence at the Recessed Meeting held on June 15, 2017):**

The following was the vote recorded for **M-498 & Res. Nos. 1532 & 1533 (Expense-Contract-Revenue Budget):**

**Affirmative** – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **48**.

**Abstention** – Wills – **1**.

The following was the vote recorded for **Preconsidered M-519 & Res. No. 1537 (Tax-Fixing Resolution):**

**Affirmative** – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Palma, Perkins, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

**Negative** – Borelli, Rose, Ulrich, Vacca, Vallone and Matteo - **6**.

**Abstention** – Miller – **1**.

The following was the vote recorded for **Res. Nos. 1520 and 1521:**

**Affirmative** – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Palma, Perkins, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

**Negative** – Borelli, Rose, Ulrich, Vacca, Vallone and Matteo - **6**.

**Abstention** – Miller – **1**.

The following was the vote recorded for **Preconsidered SLR Nos. 2:**

**Affirmative** – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

**Negative** – Borelli, Rose, Ulrich, Vacca, and Matteo – **5**.

**Abstention** – Vallone – **1**.

The following was the vote recorded for **Preconsidered SLR No. 4:**

**Affirmative** – Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Vacca, Vallone, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Negative** – Borelli, Rose, Ulrich and Matteo – **4**.

*\* **Editor's Note:** At the Recessed Meeting of June 6, 2017 held on June 15, 2017, Council Member Rose corrected her vote to affirmative in regard to M-499 & Res. Nos. 1534 & Res 1535 (Capital Budget) and therefore the updated and revised vote on this coupled item is the General Order vote of 49-0-0.*

Official blue-backs verifying the Council's passage of preconsidered SLR Nos. 1, 2,3, and 4 were signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) and were subsequently sent to Albany for filing with the State Senate and State Assembly.

At this point, the Public Advocate (Ms. James) declared the Expense-Revenue-Contract Budget, the Capital Budget, and the Community Development Program Budget for Fiscal Year 2018; all as modified and all in accordance with the relevant sections of the New York City Charter; **as hereby adopted** on this 6th day of June 2017 at 3:19 pm.



**FY 2018 BUDGET SPONSORSHIP DISCLOSURES**

The following disclosures by Council Members were made on the record during the New York City Council Budget Adoption of June 6, 2017. The relationships disclosed either do not constitute a conflict of interest under City law or the Council Member is awaiting guidance from the Conflicts of Interest Board in order to determine whether to proceed with sponsorship. Certain disclosures were voluntary.

<b>Council Member</b>	<b>Entity Funded</b>	<b>Person Involved with Group and Relationship to Member</b>	<b>Position Related to Funded Entity</b>
Borelli	PS 55R	Spouse	Employee
Borelli	College of Staten Island	Self	Employee
Cabrera	Kips Bay Boys and Girls Club	His church is temporarily renting space at the entity's facility and he is the church pastor.	Tenant
Chin	PS 3 Manhattan	Spouse	Employee
Constantinides	PS 85Q	Child	Student
Constantinides	PS 151	Spouse	Employee
Crowley	Department of Education	Sisters	Employees
Crowley	New York Public Library	Domestic Partner	3 <sup>rd</sup> Party Contractor
Crowley	The Carnegie Hall Corp	Domestic Partner	3 <sup>rd</sup> Party Contractor
Crowley	City University of New York	Child	Student

Cumbo	NYC Department of Education	Sisters	Employees
Deutsch	Masores Bais Yaakov	Child	Student
Deutsch	Kingsborough Community College	Children	Students
Deutsch	Brooklyn College	Children	Students
Espinal	CUNY	Brother	Student
Garodnick	STPCV Tenants Assn	Self	Member
Garodnick	Peter Stuyvesant Little League	Child	Participant
Garodnick	Planned Parenthood of NYC	Wife is employed by Planned Parenthood Federation of America.	Employee
Garodnick	New York Road Runners	Self	Member
Gentile	McKinley I.S. 259	Sister	Parent Coordinator
Grodenschik	Tomchei Shabbos of Queens	Self	Participant
Kallos	Asphalt Green	Self	Member
Kallos	Lenox Hill Neighborhood House	Self	Recipient of services

Kallos	Progressive Technology Project	Self	User of services
Kallos	Friends of East River Esplanade	Self	Ex-Officio Board Member
Kallos	East 86 <sup>th</sup> Street Bid Steering Committee	Self	Ex-Officio Committee Member
Kallos	Sutton Parks Conservancy	Self	Ex-Officio Board Member
Kallos	Chabad-Lubavitch of the Upper East Side	Self	Member
Kallos	Shakespeare in the Park	Self	Participant
Kallos	DOROT	Parent	Recipient of services
Kallos	Lenox Hill Neighborhood House	Self and Parent	Participants
Kallos	East 72 <sup>nd</sup> Street Neighborhood Association	Self	Founding Member
King	1199 SEIU Training Fund	Spouse	Executive Vice President
Lancman	Young Israel of Hillcrest	Self	Member
Lander	MS 51	Child	Student

Lander	78 <sup>th</sup> Precinct Youth Sports	Child	Participant
Lander	Prospect Park Baseball Association	Child	Participant
Lander	Planned Parenthood of NYC	Spouse	Employee
Lander	Women for Afghan Women	Spouse	Board Member
Levin	CUNY	Spouse	Student
Levine	Friends of NY County Courts	Self	Participant
Levine	Columbia Secondary School	Child	Student
Matteo	I.S. 51	Child	Student
Matteo	P.S. 30	Child	Student
Matteo	Susan Wagner High School	Child	Student
Matteo	IlluminArt Productions	Child	Participant
Matteo	Summer Youth Employment Program	Child	Participant
Matteo	Richmond University Medical Center	Brother	Employee

Menchaca	New American Leaders Project	Self	Board Member
Menchaca	Falcon Works Artist Group, Inc	Spouse	Board Member
Perkins	NYC Board of Elections	Spouse	Employee
Perkins	NYC Road Runner	Self	Member
Reynoso	CUNY Baruch	Spouse	Student
Rodriguez	Asphalt Green, Inc.	Child	Participant
Rodriguez	Association of Dominican Classical Artists	Child	Participant
Rose	Department of Sanitation	Child	Employee
Salamanca	St. Vincent de Paul	Father	Client
Salamanca	Department of Parks & Recreation	Spouse	Employee
Salamanca	Department of Parks & Recreation	Child	Employee
Ulrich	St. Francis College	Spouse	Employee
Vacca	Queens College	Self	Employee
Van Bramer	Breaking Ground	Sister	Employee

Vallone	Alley Pond Environmental Center	Child	Volunteer
Vallone	St. Andrews Avellino Athletic Association	Self	Volunteer
Vallone	New York Junior Tennis League	Father and Brother	Consultants
Vallone	Sports and Arts in School Foundation	Father and Brother	Consultants
Vallone	Queens LGBT Health and Human Services	Father and Brother	Consultants
Vallone	Citizen Schools, Inc	Father and Brother	Consultants
Williams	Millennium Senior Center	Parent	Resident

## INTRODUCTION AND READING OF BILLS

Int. No. 1629

By Council Members Constantinides, Richards, Johnson, Treyger, Levin, Rosenthal, Chin, Salamanca, Cohen, Menchaca and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring periodic recommendations on adoption of a more stringent energy efficiency requirements for buildings and energy use intensity requirements for new and substantially reconstructed buildings**

*Be it enacted by the Council as follows:*

Section 1. Section 28-1001.1.1 of the administrative code of the city of New York is amended to read as follows:

**§ 28-1001.1.1 [Definition] Definitions.** As used in this [chapter, the] *chapter*:

**ASHRAE 90.1-2013.** *The term “ASHRAE 90.1-2013” means the 2013 edition of the energy standard for buildings except low-rise residential buildings, standard reference number 90.1-2013, published by the American society of heating, refrigerating and air conditioning engineers (ASHRAE).*

**BASE BUILDING SYSTEMS.** *The term “base building systems” has the same meaning as set forth in section 28-308.1 of this code.*

**COVERED BUILDING.** *The term “covered building” shall have the same definition as set forth in section 28-309.2 of this code.*

**DESIGN ENERGY USE INTENSITY.** *The term “design energy use intensity” means, for a building, the source energy use intensity projected for such building based on its design at the time of filing with the commissioner.*

**ENERGY USE INTENSITY BASELINE.** *The term “energy use intensity baseline” means, for a building either:*

1. *The median source energy use intensity for buildings designed and constructed for similar uses according to benchmarking data obtained under article 309 of title 28 of the administrative code within the year preceding the effective date of the local law that added this paragraph; or*
2. *The design energy use intensity of such building if designed and constructed according to the prescriptive and mandatory requirements of ASHRAE 90.1-2013.*

**LOW ENERGY INTENSITY BUILDING.** *The term “low energy intensity building” means:*

1. *A building that is not classified in occupancy groups F or H and that has been designed and constructed such that its design energy use intensity is equal to or less than (i) the low energy intensity target for such building or (ii) if an alternative low energy intensity target has been adopted pursuant to paragraph (3) of subdivision b of section 224.1 of the New York city charter and such target would apply to such building if such building were subject to such subdivision, such alternative target; or*
2. *A building that is classified in occupancy groups F or H and that has been designed and constructed such that:*

- 2.1. *The energy usage of its base building systems, exclusive of process loads, is equal to or less than the low energy intensity target for such building, or, if an alternative low energy intensity target has been adopted pursuant to paragraph (3) of subdivision b of section 224.1 of the New York city charter and such target would apply to such building if such building were subject to such section, such alternative target; or*
- 2.2. *The design energy use intensity of such building is at least 50 percent below the median source energy use intensity for buildings designed and constructed for similar uses according to benchmarking data obtained under article 309 of title 28 of the administrative code within the year preceding the effective date of the local law that added this paragraph.*

**LOW ENERGY INTENSITY TARGET.** *The term “low energy intensity target” means:*

1. *For a building that is not classified in occupancy groups F or H, the less stringent of (i) 30 percent below the energy use intensity baseline or (ii) for new buildings, a source energy use intensity of 38 kBTU/yr per square foot of floor area and for substantial reconstructions of existing buildings, a source energy use intensity of 42 kBTU/yr per square foot of floor area;*
2. *For a building classified in occupancy groups F or H, energy usage of the base building systems, exclusive of process loads, which is at least 30 percent less than such energy usage would be if such building were designed and constructed according to ASHRAE 90.1-2013.*

**NEW YORK STATE ENERGY CODE.** *The term “New York State Energy Code” means the New York State Energy Conservation Construction Code (the “New York State Energy Code”), constituting part 1240 of title 19 of the New York codes, rules and regulations (19 NYCRR Part 1240), and the publications incorporated by reference in such part, promulgated on September 21, 2016, by the State Fire Prevention and Building Code Council pursuant to Article 11 of the New York State Energy Law.*

**QUALIFIED ENERGY SOURCE.** *The term “qualified energy source” means a source of energy that is:*

1. *A qualified energy resource, as such term is defined in section 45 of title 26 of the United States code in effect on January 1, 2017;*
2. *A source that is determined to be renewable by the commissioner or the head of another agency or office designated by the mayor; or*
3. *A source that is determined by the commissioner or the head of another agency or office designated by the mayor to have (i) a positive environmental impact or (ii) a substantially lower negative environmental impact than sources of energy other than those identified pursuant to paragraph 1 or 2 of this definition.*

**SOURCE ENERGY USE INTENSITY.** *The term “source energy use intensity” means, for a building, the amount obtained by dividing (i) total energy used by such building in a year, other than energy generated from qualified energy sources, including losses that take place during generation, transmission and distribution of such energy, expressed in thousand British thermal units per year (kBTU/yr) and weather-normalized in a manner that is established by the commissioner or the head of another agency or office designated by the mayor and consistent with the United States environmental protection agency portfolio manager, by (ii) the building’s gross floor area.*

**SUBSTANTIAL RECONSTRUCTION.** *The term “substantial reconstruction” means any repair, reconstruction, addition or improvement of a building, if the cost of such work equals or exceeds 50*



*percent of the market value of such building before such work is started and such work involves substantial work on the building envelope.*

§ 2. Chapter 10 of title 28 of the administrative code of the city of New York is amended by adding new sections 28-1001.3.3 and 28-1001.3.4 to read as follows:

**§ 28-1001.3.3 *Stretch energy code.*** *When the commissioner submits proposed amendments to this code to the city council pursuant to section 28-1001.3.1, the head of the office of long-term planning and sustainability, in consultation with the commissioner and the New York city energy conservation code advisory committee established pursuant to section 28-1001.3.2, shall for the first proposed amendments submitted to the city council pursuant to section 28-1001.3.1 in or after 2019, and for the first proposed amendments submitted to the city council pursuant to such section in or after 2022:*

1. *Submit to the city council proposed amendments to this code, or to the proposed amendments submitted by the commissioner, to bring this code up to date with the most recent model stretch code published by the New York state energy research and development authority, provided that such model stretch code is more stringent than the New York State Energy Code in effect when such proposed amendments are submitted and provided further that such model stretch code was published on or after three years before such proposed amendments are submitted;*
2. *If no such model stretch code exists at the time such amendments are to be submitted, such head, in consultation with the commissioner and such advisory committee, shall at such time submit to the city council proposed amendments to this code, or to the proposed amendments submitted by the commissioner, to ensure that the source energy use intensity of buildings designed and constructed in compliance with this code is at least 20 percent less than the source energy use intensity of buildings designed and constructed in compliance with the New York State Energy Code; or*
3. *If no such model stretch code exists and the head of the office of long-term planning and sustainability determines that proposed amendments to this code to achieve compliance with item 2 would render the design and construction of buildings impracticable or unduly burdensome, such head shall submit to the city council proposed amendments to ensure that the source energy use intensity of buildings designed and constructed in compliance with this code is, to the fullest extent practicable, less than the source energy use intensity of buildings designed and constructed in compliance with the New York State Energy Code, provided that such head shall submit together with such proposed amendments a report describing (i) why proposed amendments to achieve compliance with such item would render the design and construction of buildings impracticable or unduly burdensome and (ii) the estimated percentage by which the source energy use intensity of buildings designed and constructed in compliance with the amendments proposed by the commissioner would be less than the source energy use intensity of buildings designed and constructed in compliance with the New York State Energy Code.*

**§ 28-1001.3.4 *Low energy intensity buildings.*** *Beginning January 1, 2025, each (i) new building that would, upon completion, be a covered building and (ii) existing building undergoing substantial reconstruction that would, upon completion of such work, be a covered building, shall be designed and constructed as a low energy intensity building.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

## Res. No. 1514

**Resolution calling on the MTA to add an additional member to the New York City Transit's Paratransit Advisory Committee (PAC) who would represent pregnant women and families.**

By Council Members Constantinides, Cohen and Gentile.

**Whereas**, Some pregnant women and families find it difficult to take public transportation in New York City; and

**Whereas**, When traveling on a New York City bus, strollers are required to be folded which can make matters difficult for families to travel with young children; and

**Whereas**, Further, although the AutoGate is an automatic entry and exit to the subway, it can only be opened by either a special metrocard or a station attendant, however, some New York City subway stations do not have an attendant which means that the AutoGate cannot be opened for a family traveling with a stroller; and

**Whereas**, In addition to the factors that impact families, some women find it difficult to use New York City's public transportation system while pregnant; and

**Whereas**, Changes in a woman's body during pregnancy affect a woman's stability and posture and pregnancy can cause dizziness, headaches, and backaches; and

**Whereas**, Many pregnant commuters find it difficult to obtain a seat on a bus or a train because sometimes people refuse to give them a seat; and

**Whereas**, In order to better accommodate pregnant women who take public transportation, the Metropolitan Transportation Authority (MTA) has launched a pilot program from May through September of 2017, as part of their 'Courtesy Counts' campaign; and

**Whereas**, The MTA is giving out free buttons that say, "baby on board" and "please offer me a seat" to help make it easier for pregnant women and people with disabilities to obtain a seat on public transit; and

**Whereas**, The campaign is meant to incentivize people to give up their seat without having an awkward interaction, such as mistakenly implying someone is pregnant or has a disability; and

**Whereas**, The MTA's program is modeled after a program that began in London in 2005, when they created a button program for pregnant women and then later for people with disabilities; and

**Whereas**, According to the MTA, Transport for London, London's government body representing local transportation, has distributed approximately 130,000 buttons every year since 2005; and

**Whereas**, While the MTA is taking steps to make the commuting experience more hospitable for pregnant women and people with disabilities, it would be beneficial to have a dedicated representative on the New York City Transit's Paratransit Advisory Committee (PAC) who could advocate for the needs of pregnant women and families; and

**Whereas**, PAC is an advisory body created to serve as a liaison between the accessibility community and the MTA's Paratransit Division; and

**Whereas**, The Paratransit Division of the MTA seeks PAC's comments on proposed changes in service, policies and procedures; and

**Whereas**, In order to be a member of the PAC, an individual must either be an Access-A-Ride customer or a representative of a disability organization from the five boroughs; and

**Whereas**, PAC is currently limited to fifteen members; and

**Whereas**, The MTA could add at least one additional position to PAC to represent pregnant women and families and to advocate for their needs on public transportation; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon the MTA to add an additional member to the New York City Transit's Paratransit Advisory Committee (PAC) who would represent pregnant women and families.

Referred to the Committee on Transportation.

## Res. No. 1515

**Resolution condemning President Donald Trump’s establishment of a federal “Advisory Commission on Election Integrity” and reaffirming support for the promotion of legislative efforts nationwide that enable, rather than suppress, voter participation in elections.**

By Council Members Constantinides, Lancman, Salamanca and Cohen.

**Whereas**, Robust voter participation in elections is essential to ensuring the successful functioning of a democracy; and

**Whereas**, Recent history has demonstrated that claims of voter fraud have predicated legislative efforts to suppress voter participation in elections; and

**Whereas**, A 2013 North Carolina statute establishing strict voter identification requirements, which the Fourth Circuit Federal Court of Appeals invalidated in July 2016 as unconstitutionally discriminatory, was enacted by legislators claiming a need to protect election integrity; and

**Whereas**, However, nationwide academic and media studies have found negligible rates of credible claims of voter fraud; and

**Whereas**, A 2014 Loyola Law School study published in the Washington Post found only thirty-three credible claims of impersonation voter fraud between 2000 and 2014, out of more than one billion ballots cast; and

**Whereas**, The New York City Board of Elections Executive Director testified to the City Council in both October 2016 and May 2017 that there is no evidence of widespread voter fraud in New York City and only one investigation arising from the 2016 election cycle; and

**Whereas**, President Trump has repeatedly claimed that more than three million non-citizens voted in the 2016 presidential election and on May 11, 2017, established a federal “Advisory Commission on Election Integrity” to investigate these claims of widespread voter fraud; and

**Whereas**, Kansas Secretary of State Kris Kobach was appointed vice-chair of the “Advisory Commission on Election Integrity;” and

**Whereas**, Kobach is a vocal advocate of stricter voter identification laws and has made unsupported claims of widespread voter fraud, which demonstrates the commission's mission to further voter suppression efforts nationwide; and

**Whereas**, Unfounded claims of widespread voter fraud undermine public confidence in the electoral process, and justify pernicious laws that create needless and discriminatory obstacles to voter participation; now, therefore, be it

**Resolved**, That the Council of the City of New York condemns President Donald Trump’s establishment of a federal “Advisory Commission on Election Integrity” and reaffirms support for the promotion of legislative efforts nationwide that enable, rather than suppress, voter participation in elections.

Referred to the Committee on Governmental Operations.

## Res. No. 1516

**Resolution condemning the Trump Administration's proposal to cut the United States Environmental Protection Agency's budget in 2018.**

By Council Members Constantinides, Richards, Rosenthal, Salamanca, Cohen and Gentile.

**Whereas**, The United States Environmental Protection Agency (EPA) is a federal agency that was established in 1970 to consolidate in one agency a variety of research, regulation- and standard-setting, monitoring and enforcement activities for the purpose of protecting the environment and human health; and

**Whereas**, The EPA is responsible for administering federal laws and regulations that have a measurable

impact on the basic quality of New York City's air and water, including the Clean Air Act and Clean Water Act; and

**Whereas,** The EPA is responsible for administering numerous other laws and regulations critical to protecting the environment and public health including the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Superfund Amendments and Reauthorization Act (SARA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); National Environmental Policy Act (NEPA); Toxic Substances Control Act (TSCA); Endangered Species Act (ESA); and Executive Order 12898, which addresses environmental justice in minority populations and low-income populations; and

**Whereas,** The EPA's accomplishments range from the regulation of harmful auto emissions to the banning of carcinogenic substances such as dichlorodiphenyltrichloroethane (DDT); from increasing recycling to revitalizing urban Brownfields; from cleaning up toxic waste to protecting the ozone layer; from cleaning the air, to ensuring purer drinking water and better protecting land; and

**Whereas,** Environmental protection is fundamental to the well-being of our Nation's, State's and City's natural resources, public health and economy; and

**Whereas,** President Donald Trump's Administration (Trump Administration) has proposed a federal budget, entitled "America First A Budget Blueprint to Make American Great Again" for the year 2018 (2018 budget proposal) which would severely cut funding to the EPA; and

**Whereas;** The Trump Administration's 2018 budget proposal would cut funding to the EPA by 31 percent, from its current level of \$8.1 billion down to \$5.7 billion; and

**Whereas,** The Trump Administration's budget proposal seeks to cut the EPA's budget, among other ways, by eliminating funding for the Clean Power Plan and climate change research; decreasing funding to the Public Water System Supervision Grant Program, which helps states monitor public water systems; reducing civil and criminal enforcement and curtailing the agency's ability to police environmental offenders; cutting thousands of staff; reducing funding to the federal Superfunds and brownfields program; eliminating the Nonpoint Source Grant program which helps states reduce runoff, into waterways, of pollution from sources such as agricultural fertilizers; and eliminating over 50 EPA programs; and

**Whereas,** the Trump Administration has already taken actions - including reducing EPA's budget by tens of millions of dollars for the remainder of the year 2017 through the Omnibus Appropriations bill, and removing data relating to climate change and scientific information from the EPA's website - which have diminished the EPA's ability to carry out its core mission; now, therefore, be it

**Resolved,** That the Council of the City of New York condemns the Trump Administration's proposal to cut the United States Environmental Protection Agency's budget in 2018.

Referred to the Committee on Environmental Protection.

Int. No. 1630

By Council Members Cumbo, Constantinides, Rosenthal and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to promoting the bulk purchasing of solar energy systems by city employees**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-126 to read as follows:

§ 3-126 *Promoting the bulk purchasing of solar energy systems by city employees. a. The term "administering agency" means the offices or agencies designated by the mayor pursuant to subdivision d to administer and enforce the provisions of this section.*

*b. No later than one year after the effective date of the local law that added this section, the administering agency, shall submit to the mayor and the speaker of the council a plan for encouraging city employees to increase their use of solar energy in satisfying their energy needs. This plan shall include, but need not be limited to, the following:*

- 1. Conducting a survey of all city employees to determine which such employees own homes;*
- 2. Researching the capacity for solar energy system installation for such homes;*
- 3. Performing targeted outreach to city employees who own homes where installation of a solar energy system is feasible to encourage such installation;*
- 4. Facilitating bulk purchase of solar energy systems by such employees in order to obtain cost savings for such employees; and*
- 5. Making recommendations for encouraging city employees who are not homeowners to increase their use of solar energy to satisfy energy needs, including making recommendations for how such employees can participate in solar power purchase agreements.*

*c. At least once in each year after the date of submission of the plan required by subdivision a, the administering agency, shall report to the mayor and the speaker of the council on the implementation of such plan.*

*d. The mayor shall, in writing, designate one or more offices or agencies to administer and enforce the provisions of this section and may, from time to time at the mayor's discretion, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the city's website and on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Res. No. 1517

**Resolution calling upon the 115th Congress to pass, and the President to sign, H.R. 2508, which would provide immigration judges with discretionary authority to determine that an immigrant parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States.**

By Council Member Dromm and Gentile.

**Whereas**, New York City is home to two immigration courts which, according to data from the U.S. Department of Justice (DOJ), are among the busiest immigration courts in the nation with nearly 78,000 cases pending as of April 2017;

**Whereas**, Immigration judges bear primary responsibility for the removal, deportation, and exclusion of individuals in the United States (U.S.); and

**Whereas**, Immigration judges are currently precluded from considering family unity as a factor in removal proceedings involving an individual who is the parent of a U.S. citizen child; and

**Whereas**, According to a 2016 fact sheet issued by the Migration Policy Institute, between the years 2009 and 2013, there were 5.1 million U.S. children under age 18 with at least one unauthorized immigrant parent; and

**Whereas**, Roughly 79% of those children were U.S. citizens; and

**Whereas**, According to a 2015 report by the Migration Policy Institute and the Urban Institute, U.S. Immigration and Customs Enforcement (ICE) did not track data regarding the deportation of parents of U.S. citizen children until 2010; and

**Whereas**, ICE reports that between July 2010 and September 2012 it deported 205,000 parents who claimed to have at least one U.S. citizen child and an additional 72,000 in 2013; and

**Whereas**, The American Immigration Council reported in a 2017 factsheet that, based on ICE data, experts believe that roughly half a million U.S. citizen children experienced the detention and deportation of at least one parent between 2011 and 2013; and

**Whereas**, The Migration Policy Institute projects that, in New York State, there are approximately 293,000 children with at least one undocumented parent with roughly 78% being U.S. citizens; and

**Whereas**, New York City is home to approximately 500,000 undocumented immigrants, many of whom have started families in the City and have U.S. citizen children; and

**Whereas**, Advocates believe that from October 2005 through December of 2010, the parents of 13,000 U.S. citizen children were detained in New York City by federal immigration and customs enforcement officials, with the majority of parents being deported; and

**Whereas**, Deportation forces the parent of a U.S. citizen child either to leave the child behind indefinitely, or to take the child to the parent's country of origin, which is often completely unfamiliar to, and unsafe for, the U.S. citizen child and which often lacks comparable economic and educational opportunities for the U.S. citizen child; and

**Whereas**, The current limitations on using family unity as a factor in determining the outcome of a removal proceeding regularly forces immigration judges to separate a parent from his or her U.S. citizen child without any regard for the child's citizenship status; and

**Whereas**, When U.S. citizen children are separated from a parent on account of deportation often face severe hardships such as limited economic and housing opportunities; and

**Whereas**, The Schuyler Center for Analysis and Advocacy reported in May 2017 that approximately 5,100 U.S. citizen children enter foster care annually because of parental deportation nationally; and

**Whereas**, In order to keep families together, Representative Jose E. Serrano introduced H.R. 2508, a bill that would authorize an immigration judge to decline to order the deportation of any individual who is the parent of a U.S. citizen child if the judge determines that the parent's removal would be against the child's best interest; and

**Whereas**, Providing immigration judges with this discretionary authority will encourage the preservation of families and maintain the physical, economic, and educational security of U.S. citizen children; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the 115th Congress to pass, and the President to sign, H.R. 2508, which would provide immigration judges with discretionary authority to determine that an immigrant parent of a United States citizen child should not be ordered removed, deported, or excluded from the United States.

Referred to the Committee on Immigration.

Res. No. 1518

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation which would return control of the subway and bus system to the City of New York.**

By Council Members Dromm, Rosenthal and Gentile.

**Whereas**, Most of the subway system that exists today in New York City was built and originally operated by three separate entities: two private companies, the Interborough Rapid Transit Company and Brooklyn-Manhattan Transit Corporation, and the City via its Independent Subway System; and

**Whereas**, The entire system came under direct City control in 1940, under the auspices of the Board of Transportation; and

**Whereas**, In 1953, the Board of Transportation was replaced by the New York City Transit Authority, which was comprised of members appointed by both the Governor and the Mayor; and

**Whereas**, In 1968, the State transferred control of both the New York City Transit Authority and the Triborough Bridge and Tunnel Authority to the Metropolitan Transportation Authority (MTA); and

**Whereas**, The MTA is governed by a 17-member board, with all members of the board appointed by the Governor and confirmed by the State Senate; and

**Whereas**, Of the 17 board members, four are recommended by the Mayor of New York City, one is recommended by each of the county executives of Nassau, Suffolk, Westchester, Dutchess, Orange, Rockland, and Putnam counties (with the members representing the latter four counties casting one collective vote), and the remaining six, including the Chairman & Chief Executive Officer, are chosen by the Governor; and

**Whereas**, As a recent *New York Times* report put it, historically, the MTA's governance structure has allowed State elected officials "both to wield enormous influence over the region's transportation system, and to avoid blame and responsibility when things go wrong"; and

**Whereas**, By many accounts, both the subway and bus systems are facing significant challenges, with subway delays increasing and bus ridership declining; and

**Whereas**, According to a recent NY1/Baruch College poll, more New Yorkers blame the Mayor for problems with the subway system than blame the Governor; and

**Whereas**, In order to improve accountability for the quality of bus and subway service and make management of the system more responsive to city residents, the City government should regain direct control of the subways and buses; 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 which would return control of the subway and bus system to the City of New York.

Referred to the Committee on Transportation.

Preconsidered Res. No. 1519

**Resolution calling upon the New York State Legislature to amend the State Education Law, to extend provisions related to mayoral control for two years.**

By Council Member Dromm.

**Whereas**, In 2002, the New York State Legislature amended the State Education Law to establish mayoral control over the New York City school district; and

**Whereas**, The establishment of this new governance model was designed to improve the education system by establishing a clearer line of accountability; and

**Whereas**, Mayoral control ushered in a period during which the outcomes for students in New York City schools have improved significantly; and

**Whereas**, Under mayoral control, graduation rates, college readiness rates and test scores have increased measurably; and

**Whereas**, Under mayoral control, the City of New York has seen graduation rates rise steadily, reaching a current historic high, with 72.6 percent of the City's high school students graduating in four years; and

**Whereas**, Under mayoral control, the City of New York has seen its dropout rate decrease to the lowest level it has ever been; and

**Whereas**, Under mayoral control, New York City schools now provide families with information on students' academic success, and foster partnership with the community and parents in the shaping of our schools; and

**Whereas**, Under mayoral control, the City of New York has implemented free, full-day, high-quality universal pre-Kindergarten for every four-year-old, coordinating the efforts of multiple agencies to launch and administer the program; and

**Whereas**, Mayoral control has brought a degree of financial stability to our schools and increased transparency to the school budgeting process; and

**Whereas**, Mayoral control not only provides parents and the public with a clear answer as to whom to hold responsible for the academic performance of the City's children, it also continues to foster participation of parents and the community in the governance of schools; and

**Whereas**, Mayoral control provides the stability necessary to build upon the improvements made thus far, and it will keep in place the system needed to deliver on recently implemented initiatives; and

**Whereas**, The State Legislature retains legislative authority over certain aspects of the New York City public school system; and

**Whereas**, Education is one of the most important local government functions, as the New York City school district serves more than 1.1 million students, has over 1700 schools and has an education budget exceeding \$28 billion, which makes the Department of Education the largest entity funded in the City budget; and

**Whereas**, The importance of the New York City school district thus warrants clear accountability to an individual; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to amend the State Education Law, to extend provisions related to mayoral control for two years.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered Res. No. 1520

**RESOLUTION COMPUTING AND CERTIFYING BASE PERCENTAGE, CURRENT PERCENTAGE AND CURRENT BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2018 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Ferreras-Copeland.

**Whereas**, This Resolution, dated June 6, 2017, computes and certifies the base percentage, current percentage, and current base proportion of each class of real property for the fiscal year beginning on July 1, 2017 and ending on June 30, 2018 ("Fiscal 2018") to the State Board of Real Property Services ("SBRPS") pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On March 10, 2017 the SBRPS certified the final State equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, required by Article 18 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1) of the Real Property Tax Law, requires the Council to compute and certify, to the SBRPS, for each tax levy, the base percentage, the current percentage and the current base proportion of each class of real property in the City subsequent to the date on which the SBRPS files with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law; and

**Whereas**, Section 1803-a(1)(c) of the Real Property Tax Law requires that if any increase in the current base proportion for any class of real property, as compared with the previous year's adjusted base proportion for such class of property shall exceed five percent, such excess over five percent must be shifted to any other class of property;

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



**Section 1. Computation and Certification of Base Percentages, Current Base Percentages and Current Base Proportions for Fiscal 2018.** (a) The Council hereby computes and certifies the base percentage, the current percentage and the current base percentage for the City's Fiscal 2018 assessment rolls as shown on SBRPS Form RP-6700, attached hereto as Exhibit A and incorporated herein by reference (the "CBP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the CBP Certificate and to file it with the SBRPS after the date on which the SBRPS filed with the Clerk of the Council a certification setting forth the final state equalization rate, class ratios and class equalization rates for the City's Fiscal 2018 assessment rolls, pursuant to Section 1212 of the Real Property Tax Law.

**Section 2. Effective Date.** This resolution shall take effect as of the date hereof.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1521

**RESOLUTION COMPUTING AND CERTIFYING ADJUSTED BASE PROPORTION OF EACH CLASS OF REAL PROPERTY FOR FISCAL 2018 TO THE STATE BOARD OF REAL PROPERTY SERVICES PURSUANT TO SECTION 1803-a OF THE REAL PROPERTY TAX LAW.**

By Council Member Ferreras-Copeland.

**Whereas**, This Resolution, dated June 6, 2017, computes and certifies the adjusted base proportion of each class of real property for the fiscal year beginning on July 1, 2017 and ending on June 30, 2018 ("Fiscal 2018") to the State Board of Real Property Services ("SBRPS") pursuant to Section 1803-a of the Real Property Tax Law; and

**Whereas**, On May 25, 2017, pursuant to Section 1514 of the New York City Charter, the Commissioner of the Department of Finance delivered to the Council the certified assessment rolls for all real property assessable for taxation in the City in each borough thereof for Fiscal 2018, a certified copy of which is in the Office of the Clerk of the City pursuant to Section 516 of the Real Property Tax Law (the "Fiscal 2018 Assessment Rolls"); and

**Whereas**, Pursuant to Section 1803-a(1) of the Real Property Tax Law the Council adopts herewith a resolution in which the Council computed and certified the current base proportion, the current percentage and the base percentage of each class of real property in the City for Fiscal 2018 (the "Current Base Proportion Resolution"); and

**Whereas**, Section 1803-a(5) of the Real Property Tax Law requires the Council, subsequent to the filing of the final Fiscal 2018 Assessment Rolls, to adjust current base proportions computed pursuant to the Current Base Proportion Resolution to reflect additions to and removals from the Fiscal 2018 Assessment Rolls as described therein (each such current base proportion so adjusted to be known as an "Adjusted Base Proportion"); and

**Whereas**, within five days upon determination of the Adjusted Base Proportions, Section 1803-a(6) of the Real Property Tax Law, requires the Council to certify, to the SBRPS, the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from the additions to or removals from the Fiscal 2018 Assessment Rolls as described above, and the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from changes other than those referred to above;

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

**Section 1. *Computation and Certification of Adjusted Base Proportions and Related Information for Fiscal 2018.*** (a) The Council hereby computes and certifies the Adjusted Base Proportion for each class of real property applicable to the City, the assessed value of all property in each class of real property, the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from the additions to or removals from the Fiscal 2018 Assessment Rolls as described in Section 1803-a(5) of the Real Property Tax Law, and the net change in assessed value for each class on the Fiscal 2018 Assessment Rolls resulting from changes other than those described in Section 1803-a(5) of the Real Property Tax Law, as shown on SBRPS Form RP-6702, attached hereto as Exhibit A and incorporated herein by reference (the "ABP Certificate").

(b) The Clerk of the Council is hereby authorized and directed to execute the ABP Certificate and to file it with the SBRPS no later than five days after the date hereof.

**Section 2. *Effective Date.*** This resolution shall take effect as of the date hereof.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1522

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

By Council Member Ferreras-Copeland.

**Whereas**, On June 14, 2016 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2017 with various programs and initiatives (the "Fiscal 2017 Expense Budget"); and

**Whereas**, On June 26, 2015 the Council of the City of New York (the "City Council") adopted the expense budget for fiscal year 2016 with various programs and initiatives (the "Fiscal 2016 Expense Budget"); and

**Whereas**, On June 25, 2014 the City Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the "Fiscal 2015 Expense Budget"); and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2017, Fiscal 2016, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, 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 2017 and Fiscal 2016 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves sets forth the change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 2; and be it further

**Resolved,** That the City Council approves sets forth the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves sets forth the change in the designation of certain organizations receiving Anti-Poverty Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 4; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-wide Needs Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Parks Equity Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Domestic Violence and Empowerment (DoVE) Initiative funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Elie Wiesel Holocaust Survivors Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the LGBT Inclusive Curriculum in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Veterans Community Development Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Post-Arrest Diversion Program for Young Adults Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Anti-Poverty Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving Food Pantries Initiative funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 26; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 28.

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2017, as set forth in Chart 29.

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. 1522 printed in these Minutes).

Preconsidered Res. No. 1523

**Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.**

By Council Member Ferreras-Copeland.

**Whereas,** Pursuant to Section 1519-a(7)(b) of the New York City Charter (Charter), the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May, the proposed discount percentage allowed for early payment of real estate taxes; and

**Whereas,** Section 1519-a(7)(c) of the Charter provides that the Council may adopt a discount percentage for early payment of real estate taxes no earlier than the 14th day of May; and

**Whereas,** The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the discount percentage for early payment of real estate taxes for Fiscal Year 2018 be set at one-half of one percent (0.5%) per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent (0.5%) per annum for Fiscal Year 2018.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1524

**Resolution to establish that the interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four percent (4%), as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, By letter dated May 12, 2017, the Banking Commission recommended to the Council an interest rate of six percent (6%) per annum for Fiscal Year 2018 to be charged for the non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Council determines that an interest rate of six percent (6%) per annum for Fiscal Year 2018 should be charged for the non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be six percent (6%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1525

**Resolution to establish that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the Council of the City of New York (Council), not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments; and

**Whereas,** The Banking Commission is required to propose a rate of at least six percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas,** The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four percent (4%), as published by the Board of Governors of the Federal Reserve System; and

**Whereas,** It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all large taxpayers; and

**Whereas,** The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments, be eighteen percent (18%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved,** That the Council of the City of New York establishes that the interest rate be eighteen percent (18%) per annum for Fiscal Year 2018 for non-payment of taxes on properties with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 1526

**Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas,** Sections 11-312 and 11-313 of the Administrative Code of the City of New York (Administrative Code) establish that the Council of the City of New York (Council) may adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1; and

**Whereas,** Section 11-224.1 of the Administrative Code requires the Banking Commission to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"), to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas,** The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four (4%) percent, as published by the Board of Governors of the Federal Reserve System; and

**Whereas,** The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, be six percent (6%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved,** That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be six percent (6%) per annum for real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

## Preconsidered Res. No. 1527

**Resolution to establish that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.**

By Council Member Ferreras-Copeland.

**Whereas**, Sections 11-312 and 11-313 of the Administrative Code of the City of New York (Administrative Code) establish that the Council of the City of New York (Council) may adopt interest rates to be charged for non-payment of water rents and sewer rents that become due and payable on or after July 1, 2005 pursuant to section 11-224.1 of the Administrative Code; and

**Whereas**, Section 11-224.1 of the Administrative Code requires the Banking Commission to propose a rate at least six percent (6%) per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"), to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000, or more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission notes that as of May 11, 2017, the Prime Rate stands at four (4%) percent, as published by the Board of Governors of the Federal Reserve System;

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2017, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is over \$250,000, or over \$250,000 per residential unit for cooperative apartments, be eighteen percent (18%) per annum for Fiscal Year 2018; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate to be charged for Fiscal Year 2018 for non-payment of water rents and sewer rents be eighteen percent (18%) per annum for real property with an assessed value of over \$250,000, or over \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 1631

By Council Member Garodnick.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of finance to conduct audits related to certain transfers of development rights within the east midtown subdistrict**

*Be it enacted by the Council as follows:*

Section 1. Chapter 21 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-2120 to read as follows:

*§ 11-2120 Audit of returns. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Development rights. The term "development rights" means the floor area, as such term is defined in section 12-10 of the zoning resolution, permitted to a zoning lot under the zoning resolution.*

*East midtown subdistrict. The term "east midtown subdistrict" has the same meaning as is ascribed to such term in section 81-04 of the zoning resolution or a successor provision.*

*Return. The term "return" means a real property transfer tax return, and any accompanying documents required by the return, that is filed with the commissioner of finance pursuant to section 11-2105.*

*Transfer of development rights. The term “transfer of development rights” means the transfer of unused development rights from one zoning lot to another zoning lot.*

*Zoning lot. The term “zoning lot” has the same meaning as is ascribed to such term in section 12-10 of the zoning resolution.*

*b. The commissioner of finance shall audit all returns filed for transfers of development rights within the east midtown subdistrict pursuant to section 81-642 of the zoning resolution or a successor provision.*

*1. The commissioner of finance shall commence such audit no later than 30 days after receipt of an applicable return.*

*2. The commissioner shall submit to the speaker of the council a copy of each such audit no later than 10 days after completion.*

*c. Any grantor or grantee listed in a return that is subject to audit pursuant to subdivision b of this section shall make available to the commissioner of finance all books and records relevant to such audit upon request.*

§ 2. This local law takes effect on the same date as a text amendment to the zoning resolution establishing the east midtown subdistrict, as proposed in ULURP Application No. N 170186 ZRM or ULURP Application No. N 170186A ZRM, takes effect.

Referred to the Committee on Finance.

Int. No. 1632

By Council Members Garodnick, Johnson, Constantinides, Cohen, Rosenthal, Menchaca and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring that property owners disclose information about a building’s energy efficiency when selling or leasing such building or space within such building**

*Be it enacted by the Council as follows:*

Section 1. Article 309 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-309.12 to read as follows:

**§ 28-309.12 Energy efficiency scores and grades.** *Energy efficiency scores and grades and energy asset scores for buildings shall be assigned and disclosed in accordance with this section.*

**§ 28-309.12.1 Definitions.** *As used in section 28-309.12, the following terms shall have the following meanings:*

**ADMINISTERING AGENCY.** *The term “administering agency” means (i) the department or (ii) one or more offices or agencies designated by executive order of the mayor to administer this section.*

**COVERED BUILDING.** *The term “covered building” shall have the same definition as set forth in section 28-309.2.*

**ENERGY ASSET SCORE.** *The term “energy asset score” means, for a building, a score that evaluates the energy efficiency of such building’s envelope and mechanical and electrical systems and that is generated by using the energy asset scoring tool.*

**ENERGY ASSET SCORING TOOL.** *The term “energy asset scoring tool” means the tool developed or adopted pursuant to section 28-309.12.3.*

**ENERGY EFFICIENCY GRADE.** *The term “energy efficiency grade” means a grade, based on an energy efficiency score, that is assigned in accordance with section 28-309.12.4.*



**ENERGY EFFICIENCY SCORE.** *The term “energy efficiency score” means, for a covered building, a score that assesses the energy and water use of such building relative to similar buildings and that can be assigned through the benchmarking tool or other methods as determined by the department.*

**QUALIFIED ENERGY SOURCE.** *The term “qualified energy source” means a source of energy that is:*

1. *A qualified energy resource as such term is defined in section 45 of title 26 of the United States code as in effect on January 1, 2017;*
2. *A source that is determined to be renewable by the commissioner or the head of another agency or office designated by the mayor; or*
3. *A source that is determined by the commissioner or the head of another agency or office designated by the mayor to have a positive environmental impact or substantially lower negative environmental impact than sources of energy other than those identified pursuant to paragraph 1 or 2 of this definition.*

**SOURCE ENERGY USE INTENSITY.** *The term “source energy use intensity” means, for a building, the amount obtained by dividing (i) the total energy used by such building in a year, other than energy generated from qualified energy sources, including losses that take place during generation, transmission and distribution of such energy, expressed in thousand British thermal units per year (kBTU/yr) and weather-normalized in a manner that is established by the administering agency and consistent with the United States environmental protection agency portfolio manager, by (ii) the building’s gross floor area.*

**§ 28-309.12.2 Energy efficiency score required.** *By no later than May 1 of 2018 and each year thereafter, the owner of a covered building shall use the benchmarking tool or other methods as determined by the administering agency to obtain an energy efficiency score and shall submit such score to the administering agency in a form and manner established by the administering agency.*

**Exception:** *If the office of long-term planning and sustainability, in conjunction with the administering agency, determines, in accordance with section 28-309.12.2.1, that it is not feasible for a type of covered building to obtain an energy efficiency score under this section, the owner of a covered building of such type need not comply with this section for such building, provided that on or before May 1 of the first year that commences after the effective date of such local law, such owner submits proof that such building is of such type to the administering agency, in a manner and form established by the administering agency.*

**§ 28-309.12.2.1 Ineligible buildings.** *The office of long-term planning and sustainability, in conjunction with the administering agency, may determine that it is not feasible for one or more types of covered buildings to obtain an energy efficiency score pursuant to this section. If such a determination is made, the administering agency shall identify such types of buildings publicly on its website.*

**§ 28-309.12.3 Energy asset score.** *By no later than July 1, 2018, the administering agency shall develop or adopt, and update as needed thereafter, a publicly available web-based tool for evaluating the energy efficiency of a building’s envelope and mechanical and electrical systems that (i) normalizes for operational and occupancy variables, (ii) does not require users to collect energy consumption data and (iii) can be used to obtain an energy asset score for such building.*

**§ 28-309.12.3.1 Energy asset score disclosure at time of sale or lease.** *On and after July 1, 2018, an owner of a building who offers such building for sale or lease, in its entirety, shall before accepting a purchase or rental offer for such building or space:*

1. *Obtain an energy asset score for such building through the energy asset scoring tool unless such a score has been obtained for such building within the one-year period preceding such offer;*
2. *Report such score to the administering agency, in a form and manner determined by the administering agency; and*
3. *Provide the prospective purchaser or lessee with such score.*

**Exception:** *This section 28-309.12.3.2 shall not apply to a transfer of real property described in section 463 of the real property law.*

**§ 28-309.12.4 Energy efficiency grade.** *By no later than July 1 in 2018 and by July 1 in each year thereafter, the administering agency shall make publicly available online a tool that an owner of a covered building or space within a covered building can use to determine the energy efficiency grade for such building based on the energy efficiency score for such building. Such grade shall be assigned as follows:*

1. *For a covered building whose most recent energy efficiency score is equal to or greater than the eightieth percentile of all energy efficiency scores received for similar buildings for such year, or that has a source energy use intensity of 42 kBtu/yr per square foot of gross floor area or less, the energy efficiency grade shall be A;*
2. *For a covered building whose most recent energy efficiency score is equal to or greater than the sixtieth percentile but less than the eightieth percentile of all energy efficiency scores received for similar buildings for such year, the energy efficiency grade shall be B;*
3. *For a covered building whose most recent energy efficiency score is equal to or greater than the fortieth percentile but less than the sixtieth percentile of all energy efficiency scores received for similar buildings for such year, the energy efficiency grade shall be C;*
4. *For a covered building whose most recent energy efficiency score is equal to or greater than the twentieth percentile but less than the fortieth percentile of all energy efficiency scores received for similar buildings for such year, the energy efficiency grade shall be D;*
5. *For a covered building whose most recent energy efficiency score is less than the twentieth percentile of all energy efficiency scores received for similar buildings for such year, the energy efficiency grade shall be F; and*
6. *For a building that is ineligible for such a score and for which the owner thereof has complied with the requirements of the exception to section 28-309.12.2, the energy efficiency grade shall be N.*

**§ 28-309.12.4.1 Energy efficiency grade display.** *Within 30 days after the owner of a covered building obtains an energy efficiency grade, such owner shall post such grade in a conspicuous location near each entrance to such building, in a form and manner determined by the administering agency.*

**§ 28-309.12.4.2 Energy efficiency grade disclosure required at time of sale or lease.** *On and after July 1, 2018, an owner of a covered building or the owner of space within a covered building who*

*owns such space or holds such space as a shareholder of a cooperative corporation under a proprietary lease within such building and who offers the sale or lease of such space, or if such space is held by a shareholder of a cooperative corporation under a proprietary lease, the sale of shares of such corporation relating to such space, shall, before accepting a purchase or rental offer for such space or shares, provide the energy efficiency grade for such building based on the most recent energy efficiency score obtained for such building to the prospective lessee.*

**Exceptions:**

1. *This section 28-309.12.4.3 shall not apply to (i) a building offered for lease in its entirety or (ii) a transfer of real property described in section 463 of the real property law.*
2. *An owner of space within a covered building who owns such space as a condominium or holds such space as a shareholder of a cooperative corporation under a proprietary lease may, in lieu of providing to the prospective purchaser or lessee thereof the energy efficiency grade for such building based on the most recent energy efficiency score obtained for such building, provide such purchaser or lessee the current energy efficiency grade posted for such building pursuant to section 28-309.12.4.1. If (i) no energy efficiency grade has been posted for such building pursuant to section 28-309.12.4.1 and (ii) the owner of such space has submitted to the owner of such building a written request for the energy efficiency grade for such building based on the most recent energy efficiency score obtained for such building or for the most recent energy efficiency score for such building, and the owner of such building has not provided such grade or score to the owner of such space, then the owner of such space need not comply with this section 28-309.12.4.3 for such space until the earlier of, the date on which an energy efficiency grade is posted for such building pursuant to section 28-309.12.4.1 or the date on which the owner of such building provides the owner of such space with the energy efficiency grade for such building based on the most recent energy efficiency score obtained for such building or the most recent energy efficiency score for such building.*

**§ 28-309.12.5 Penalties.** *A person who violates a provision of this section with respect to a building or space within such building shall be subject to a civil penalty as follows:*

1. *A person who violates a provision of this section with respect to a building or space within such building shall be subject to a civil penalty equal to (i) \$5,000 plus (ii) one dollar for each square foot of gross floor area in such building or space.*
2. *Civil penalties under this section may be recovered by the administering agency in an action in any court of appropriate jurisdiction or in a proceeding before the environmental control board. Such board shall have the power to impose civil penalties provided for in this section.*
3. *The civil penalties set forth in this section shall be indexed to inflation in a manner to be determined by rules of the administering agency.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

## Int. No. 1633

By Council Members Gentile, Rosenthal and Crowley.

**A Local Law to amend the New York city charter, in relation to requiring the department of investigation to complete vendor name checks for city vendors thirty days prior to the commencement of a contract**

*Be it enacted by the Council as follows:*

Section 1. Section 335 of the New York city charter is amended to read as follows:

§ 335 Centralized evaluation of contractor integrity, performance, and capability.

*a.* The mayor may evaluate the integrity, performance, and capability of entities that contract with the city, are seeking to contract with the city, or may seek to contract with the city. The mayor may designate one or more agencies to participate in such efforts. The evaluations of the mayor and any agency designated by the mayor may include conclusions regarding whether the entity should be considered a responsible contractor. The mayor and any agency designated by the mayor may make such evaluations and conclusions available to agencies and the public through a centralized data base.

*b.* The commissioner of investigation shall, whenever practicable, determine whether any person or entity doing business with the city is currently or has ever been the subject of an investigation by the department of investigation and submit such determination to the mayor at least 30 days prior to the commencement of a contract between such person or entity and an agency of the city.

§2. This local law takes effect 120 days after it becomes law, except that the commissioner of investigation and the director of the mayor's office of contract services may take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Oversight and Investigations.

## Int. No. 1634

By Council Members Johnson, Salamanca and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting fees for telephone calls from inmates in city jails**

*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 9-148 to read as follows:

§ 9-148. *Telephone fees.* To the extent that the department provides telephone services to inmates, the department shall not accept or receive revenue for providing such services and shall provide all such telephone services to inmates without charge to the inmates or the receiving parties.

§ 2. This local law takes effect 120 days after enactment, provided that the board of correction shall take all actions necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1635

By Council Member Johnson and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to HRA job centers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-139 to read as follows:

§ 21-139 *Requirements for job centers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Job center. The term “job center” means any department authorized facility located within the five boroughs where individuals can apply for cash assistance.*

*Visitor. The term “visitor” means any individual, by appointment or walk-in, who enters a job center to apply for public assistance, to receive assistance for an open public assistance case, or to receive assistance for a closed public assistance case.*

*Checked-in. The term “checked-in” means that a visitor has made initial contact with a department staff member responsible for keeping track of visitors and has provided personal information to the staff member so that the job center has a record, either written or electronic, of the visitor’s time of arrival and the reason for their visit.*

*Time of arrival. The term “time of arrival” means the time of day a visitor is checked-in to a job center.*

*Appointment. The term “appointment” means that a checked-in visitor is no longer waiting for assistance. A visitor begins an appointment when they are called from the waiting area and begin meeting with a staff member regarding the reason for their visit,*

*Visit receipt. The term “visit receipt” means a printed document given to all checked-in visitors at a job center.*

*Wait time. The term “wait time” means the amount of time a visitor spends waiting for assistance after they have been checked-in to a job center. Wait time begins at the visitor’s time of arrival, and ends when a visitor begins an appointment.*

*b. The department shall issue a visit receipt to all checked-in visitors at a job center. The visit receipt shall include: (i) the name of the staff member handling the visit; (ii) the staff member’s contact information; (iii) the reason for the individual’s visit; (iv) a list of any documents received by the agency from the visitor; and (v) a time stamp indicating the date, the visitor’s time of arrival, and the visitor’s total wait time.*

*c. Not later than January 1, 2018, and no later than January 1 and July 1 semiannually thereafter, the department shall submit to the council and post on its website an up-to-date report of the average wait time for a visitor at each job center.*

*d. The department shall post a sign, in a form and manner as prescribed by the rules of the commissioner, in one or more visible locations inside every job center. Such sign shall include (i) information regarding a visitor’s right to make a complaint; and (ii) instructions on how to make a complaint by phone or online.*

*1. A tracking number shall be provided to any visitor who initiates a complaint. Such tracking number shall track the status of a complaint from start to finish.*

*2. Not later than January 1, 2018, and no later than January 1 and July 1 semiannually thereafter, the department shall submit to the council and post on its website a report of all complaints received. Such report shall be aggregated by job center location and complaint type.*

§ 2. This local law takes effect 120 days after its enactment, except that the commissioner shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on General Welfare.

Int. No. 1636

By Council Member Johnson and Gentile

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the office of criminal justice to address erroneous criminal records**

*Be it enacted by the Council as follows:*

Section 1. Title 9 of the administrative code of the city of New York is amended by adding a new chapter 3 to read as follows:

*CHAPTER 3  
OFFICE OF CRIMINAL JUSTICE*

*§ 9-301 Definitions.*

*As used in this chapter, the following terms have the following meanings:*

*Office. The term “office” means the office of criminal justice as defined in section 13 of the charter.*

*§ 9-302 Erroneous Criminal Records.*

*a. The office shall establish a system through which members of the public or nonprofit organizations may rectify erroneous criminal records, including providing direct access to state and local agencies responsible for such records. The office shall take all measures necessary to ensure that the public is aware of such system.*

*b. The office shall take all practicable measures to ensure the accuracy of criminal records and the consistency of such records between state and local agencies responsible for such records, identify the root causes of erroneous criminal records, and propose permanent solutions to address such causes.*

*c. Within 30 days of the beginning of each calendar year, commencing in 2018, the office shall issue an annual report to the mayor and the council, and publish such report on the office’s website, regarding actions taken pursuant to this section.*

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 1637

By Council Members Johnson, Richards, Cohen, Constantinides, Rosenthal and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a New York city energy policy task force and creating a long-term energy plan for the city**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-126 to read as follows:

*§ 3-126 New York city energy policy task force. a. Definitions. As used in this section:*

*Administering agency. The term “administering agency” means the offices or agencies designated pursuant to subdivision e by the mayor to administer the provisions of this section.*

*Energy supply. The term “energy supply” means (i) power plants and any other facilities that generate energy that is used in the city, (ii) infrastructure that transmits or distributes energy that is used in the city, (iii) any fuels that are used in buildings or facilities in the city, and (iv) distributed generation sources of electricity, heating or cooling that is used in the city.*

*Green energy. The term “green energy” means energy generated from (i) a qualified energy resource, as such term is defined in section 45 of title 26 of the United States code, (ii) a source that the administering*

agency determines is renewable or (iii) a source that is determined by the administering agency to have a positive environmental impact or a substantially lower negative environmental impact than other sources of energy excluding such qualified energy resources.

*Task force.* The term “task force” means the New York city energy policy task force established by this section.

*b. New York city energy policy task force.* 1. The administering agency shall convene a New York city energy policy task force.

2. The head of the administering agency, or another person designated by the mayor, shall be the chair of the task force.

3. The mayor or a person designated by the mayor shall, in consultation with the speaker of the council, appoint the members of the task force. To the extent practicable, the appointed members shall include representatives of (i) city, state and federal instrumentalities that regulate or have a significant interest in the development of the energy supply; (ii) energy utilities; (iii) the green energy industry; (iv) the energy industry; (v) consumer advocacy organizations relating to energy; (vi) building owners and managers; (vii) the construction trades; (viii) residential and commercial tenants; (ix) the business sector; (x) environmental advocacy organizations and (xi) other persons with experience or expertise deemed relevant by the mayor or such designated person. Members of the task force shall serve without compensation from the city and may be removed at any time by the mayor or such designated person, in consultation with the speaker of the council.

*c. Meetings.* The task force shall convene at least once every six months for the purpose of evaluating the condition and adequacy of the energy supply, any vulnerability in and risks to the energy supply, and to identify and coordinate the implementation of objectives regarding the development of the energy supply, including objectives and recommendations established under the long-term energy plan required by this section.

*d. Long-term energy plan.* In 2019 and in every fourth year thereafter, the administering agency, in consultation with the task force, shall submit to the mayor and the speaker of the council, and make publicly available online, a long-term energy plan. Such plan shall, at a minimum, include:

1. A description and analysis of the current energy supply, including its capacity, and the power plants, facilities, infrastructure, fuels and energy sources comprising such energy supply;

2. An assessment of the current citywide energy demand and a projection of the future citywide energy demand over the next four years, or such longer period as the task force may deem appropriate, disaggregated by end-use sector, including (i) an assessment of factors affecting demand, including but not limited to energy efficiency measures, electrification of building systems, and adoption of energy storage and electric vehicles; (ii) specific recommendations regarding the capacity that should be added to the current energy supply to meet such projected demand after consideration of such factors, and (iii) actions the city should take in connection with such recommendations;

3. A list of each city, state or federal instrumentality that regulates or exercises any authority over the energy supply, in whole or in part, and, for each such instrumentality, a description of their role with respect to the energy supply;

4. (i) An analysis and estimate of the total capacity of the green energy sources that have been integrated into the energy supply and of green energy sources that could feasibly be developed and integrated into the energy supply, including an analysis and estimate of the maximum extent to which green energy sources could be used to satisfy energy needs for the city and city government and (ii) specific recommendations for developing and integrating such green energy sources into the energy supply to the maximum extent possible, including actions the city should take in connection with such recommendations;

5. (i) An analysis and estimate of energy efficiency measures, electrification of building systems, and adoption of energy storage that could feasibly be developed to reduce citywide energy demand, including but not limited to an analysis and estimate of the maximum extent to which such measures could be used to reduce energy demand in buildings owned or leased by the city and (ii) specific recommendations for developing and integrating such measures to the maximum extent possible, including actions the city, state, and federal government should take in connection with such recommendations;

6. A plan for allowing city residents and other members of the public to participate and benefit from the development of energy efficiency and green energy systems and infrastructure, including a plan to disseminate information to members of the public about the benefits of and progress under the long-term energy plan; and

7. For second and subsequent long-term energy plans, an assessment of the city's progress toward accomplishing the objectives and recommendations established in the previous long-term energy plan.

e. The mayor shall, in writing, designate one or more offices or agencies to administer the provisions of this section and may, from time to time at the mayor's discretion, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the city's website and on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1638

By Council Members Kallos, Dromm, Cohen, Rosenthal and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on gay straight, or gender sexuality, alliance organizations**

*Be it enacted by the Council as follows:*

Section 1. The administrative code of the city of New York is amended by adding a new chapter 12 to title 21-A to read as follows:

*Chapter 12. Reporting on GSAs*

§ 21-974 *Report on GSAs.* a. For the purposes of this chapter, the following terms have the following meanings:

*GSA.* The term "GSA" means student lead groups with the primary purpose of providing a safe space for students to discuss issues of sexual and gender orientation and combating homophobia and transphobia. These groups may be referred to as gay straight alliances or gender sexuality alliances.

*School.* The term "school" means a public school of the city school district of the city of New York that contains any combination of grades from and including pre-kindergarten through grade twelve.

*Meetings.* The term "meetings" means all meetings conducted by GSAs, including both ordinarily scheduled and recurring meetings for and between members, and meetings conducted with members acting as representatives of GSAs, with other parties, including but not limited to school officials, local politicians, or GSAs from other schools or other community groups.

*Members.* The term "members" means students who attend GSA meetings or are otherwise involved in the governance or functioning of GSAs.

b. No later than December 1, 2017, the department shall submit to the council and post online a report for the preceding academic year regarding the status of GSAs at each school. The report shall contain the following information for each school:

1. Whether such school has a GSA;
2. Whether such GSA has an allotted budget, and if so the amount of such budget;
3. Additional supports, including but not limited to, the use of school facilities, provided by such school to such GSA, as applicable;
4. The number of meetings held by such GSA;
5. The number of members of such GSA;
6. Whether teachers or parents are involved with such GSA;
7. The number of teachers at such school that have received training related to GSAs;
8. Whether such GSA has a mission statement or other stated goals, and if so, a description of such mission statement or stated goals; and



9. *If such school does not have a GSA, whether such school has plans for creating a GSA.*

*c. The times, dates, and locations of meetings; the names or other personal information of members in attendance at such meetings or otherwise involved in GSAs and the names or other personal information of school staff who are involved with GSAs, shall not be reported. Additionally, no information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would conflict with the interests of law enforcement or the safety of students. If a category contains between 1 and 5 students, or contains an amount that would allow the amount of another category that is five or less to be deduced, the number shall be replaced with a symbol.*

§ 2. This local law takes effect immediately.

1

Referred to the Committee on Education.

Int. No. 1639

By Council Members Koo, Cohen, Costantinides, Rosenthal and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to promoting the bulk purchasing of solar energy systems by business improvement districts**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-126 to read as follows:

§ 3-126 *Promoting the bulk purchasing of solar energy systems by business improvement districts. a. As used in this section:*

*Administering agency. The term “administering agency” means the offices or agencies designated by the mayor pursuant to subdivision d to administer and enforce the provisions of this section.*

*Business improvement district. The term “business improvement district” means a district established pursuant to article 19-A of the general municipal law or local laws and rules implementing such article.*

*b. No later than one year after the effective date of the local law that added this section, the administering agency shall submit to the mayor and the speaker of the council a plan for encouraging business improvement districts to increase their use of solar energy in satisfying their energy needs. This plan shall include, but need not be limited to, the following:*

*1. Conducting a survey of the city’s business improvement districts to determine what buildings are included in each district;*

*2. Researching the capacity for solar energy system installation on individual buildings in each business improvement district; and*

*3. Facilitating bulk purchase of solar energy systems by such business improvement districts in order to obtain cost savings for such districts, provided that the administering agency may prioritize bulk purchase of solar energy systems by the business improvement districts having the highest capacity for installation of solar energy systems.*

*c. At least once in each year after the date of submission of the plan required by subdivision a, the administering agency shall report to the mayor and the speaker of the council on the implementation of such plan.*

*d. The mayor shall, in writing, designate one or more offices or agencies to administer and enforce the provisions of this section and may, from time to time at the mayor’s discretion, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the city’s website and on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1640

By Council Members Koo, Salamanca and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to abandoned tree pits**

*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 18-148 to read as follows:

*§ 18-148 Abandoned tree pits. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Abandoned tree pit. The term “abandoned tree pit” means a tree pit that is without trees or vegetation.*

*Tree pit. The term “tree pit” means any unpaved space in a sidewalk in which trees or vegetation are planted.*

*b. The commissioner shall inspect any location upon notice that there is an abandoned tree pit at such location.*

*c. The commissioner shall, within three months of the inspection required pursuant to subdivision b of this section, plant a tree or vegetation in any abandoned tree pit within the jurisdiction of the commissioner, except in instances of structural damage pursuant to subdivision d of this section.*

*d. In instances where the commissioner is unable to plant trees or vegetation in an abandoned tree pit due to structural damage, the commissioner shall, in consultation with the commissioner of transportation, remove the tree pit within three months of the inspection required pursuant to subdivision b of this section.*

*e. Nothing in this section affects the operation of any other law or regulation relating to the planting, cultivation or removal of trees and vegetation within the jurisdiction of the commissioner.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of parks and recreation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Parks and Recreation.

Preconsidered State Legislation Resolution No. 1

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Lanza, S.5088, and Assembly Member Farrell, A.6663, “AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”.**

By Council Member Koslowitz.

**Whereas**, Bills have been introduced in the New York State Legislature by Senator Lanza, S.5088, and Assembly Member Farrell, A.6663, “AN ACT to amend chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”; *and*

**Whereas,** The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved,** That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 2

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Hamilton, S.6488, and Assembly Member Dilan, A.7406, “AN ACT to amend the administrative code of the city of New York, in relation to a tax on the transfer of certain real property within three years of the prior transfer of such property”.**

By Council Member Koslowitz.

**Whereas,** Bills have been introduced in the New York State Legislature by Senator Hamilton, S.6488, and Assembly Member Dilan, A.7406, “AN ACT to amend the administrative code of the city of New York, in relation to a tax on the transfer of certain real property within three years of the prior transfer of such property”; *and*

**Whereas,** The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved,** That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 3

**State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Savino, S.6460, and Assembly Member Abbate, A.8055, “AN ACT to amend the retirement and social security law, in relation to the definition of additional member contributions and basic member contributions for certain New York city employees' retirement system members who are subject to certain retirement plans under articles 14 and 15 of the retirement and social security law, to allow such additional member contributions to be used, to offset a deficit of basic member contributions, or to allow an excess of basic member contributions to offset a deficit of additional member contributions upon retirement”.**

By Council Member Koslowitz.

**Whereas,** Bills have been introduced in the New York State Legislature by Senator Savino, S.6460, and Assembly Member Abbate, A.8055, “AN ACT to amend the retirement and social security law, in relation to the definition of additional member contributions and basic member contributions for certain New York city employees' retirement system members who are subject to certain retirement plans under articles 14 and 15 of the retirement and social security law, to allow such additional member contributions to be used, to offset

a deficit of basic member contributions, or to allow an excess of basic member contributions to offset a deficit of additional member contributions upon retirement”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 4

**State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Farrell, A.7464, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York”.**

By Council Member Koslowitz.

**Whereas**, a Bill has been introduced in the New York State Legislature by Assembly Member Farrell, A.7464, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York”; *and*

**Whereas**, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

**Resolved**, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bill.

Adopted by the Council (preconsidered and approved by the Committee on State and Federal Legislation).

Int. No. 1641

By Council Members Levin, Salamanca, Cohen and Gentile.

**A Local Law in relation to a task force regarding the transportation of homeless students**

*Be it enacted by the Council as follows:*

Section 1. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

Family assistant. The term “family assistant” means department of education staff assigned to work with shelters and schools to provide assist homeless families with obtaining transportation assistance and other services for which they are eligible under the mckinney-vento act, as enacted by public law 100-77.

Shelter. The term “shelter” means temporary emergency housing provided to homeless individuals and families by the department of homeless services, the department of social services or a provider under contract or similar agreement with such departments.

b. There shall be a task force regarding the transportation of homeless students consisting of at least 9 members. Members of the task force shall be appointed by the mayor after consultation with the speaker of the council. Such task force shall include the following members:

1. the commissioner of homeless services, or their designee, who shall serve as chair;
2. the commissioner of the department of social services, or their designee;
3. the deputy chancellor for operations of the city school district, or their designee;
4. at least two family assistants;
5. at least two representatives of organizations which provide shelter for families with children; and
6. at least two representatives of a companies which provide busing services to students.

c. All members of the task force shall serve without compensation and at the pleasure of the mayor. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. All members shall be appointed within 60 days of the enactment of this local law.

d. The task force shall meet at least quarterly and shall submit a report of its recommendations to the mayor and the speaker of the council no later than 12 months after the final member of the task force is appointed. Such report shall include an assessment of the barriers to arranging transportation for students living in shelter and recommendations for addressing such barriers.

e. The task force shall cease to exist upon the publication of the report required pursuant to subdivision d.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1642

By Council Members Levin, Johnson, Menchaca, Koslowitz, Dromm, Mendez, Rosenthal, Constantinides, Reynoso, Cabrera, Gentile, Richards, Gibson, Perkins, Salamanca, Vacca and Espinal.

**A Local Law to amend the administrative code of the city of New York, in relation to rental assistance vouchers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the City of New York is amended by adding a new section 21-139 to read as follows:

§ 21-139 *Use of rental assistance vouchers. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Fair market rent. The term “fair market rent” means the rent levels for the New York metro area established by the United States department of housing and urban development.*

*Household. The term “household” means the individuals or families who are in receipt of any rental assistance vouchers.*

*Maximum rental allowances. The term “maximum rental allowances” means the maximum rent toward which rental assistance vouchers may be applied.*

*Rental assistance voucher. The term “rental assistance voucher” means any fully city-funded housing rental subsidy for homeless families and individuals.*

*b. Eligibility. There shall be no limit on the period of time during which an otherwise eligible household may receive a rental assistance voucher.*

*c. Maximum rental allowances. Maximum rental allowances shall be indexed to the fair market rent.*

*d. The requirements of this section shall be subject to appropriation.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of social services may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on General Welfare

Int. No. 1643

By the Public Advocate (Ms. James) and Council Members Salamanca, Cohen, Maisel and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to a child care report and plan to address the need for expanded child care capacity**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-910 to read as follows:

§ 21-910 *Child care report and plan. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Area of economic transition. The term “area of economic transition” means a zip code in the bottom 40 percent of zip codes with respect to median household income in the city in 2000 that experienced an increase of over 20 percent in median household rent between 2000 and 2014, according to data from the United States census bureau.*

*Child care. The term “child care” means care for a child on a regular basis provided away from the child’s residence for less than 24 hours per day by a person other than the parent, step-parent, guardian or relative within the third degree of consanguinity of the parents or step-parents of such child.*

*Child care center. The term “child care center” means a program or facility permitted by the department of health and mental hygiene that is not a residence and that provides child care to three or more children ages six weeks through five years old.*

*Child care gap ratio. The term “child care gap ratio” means the total of the number of children enrolled in child care centers and family child care programs, the number of vacant slots in child care centers and family child care programs, and the number of children receiving informal care with a mandated voucher or non-mandated voucher, divided by the number of children in the city under 13 years old.*

*Family child care program. The term “family child care program” means a program registered or licensed by the department of health and mental hygiene that provides child care in a residence to three or more children ages six weeks through 12 years old.*

*Higher-income area. The term “higher-income area” means a zip code in the top 60 percent of zip codes with respect to median household income in the city in 2014.*

*Income eligible child. The term “income eligible child” means a child under 13 years old with a family income up to 200 percent of the federal poverty level as updated annually by the federal department of health and human services.*

*Informal child care. The term “informal child care” means child care for one or two children provided in a residence by a person not required to be registered or licensed by the department of health and mental hygiene, or care for a child provided in the child’s own residence by a person not required to be registered or licensed by the department of health and mental hygiene.*

*Mandated voucher. The term “mandated voucher” means child care assistance funds that ACS is required to provide to certain families pursuant to section 410-w of the social services law.*

*Non-mandated voucher.* The term “non-mandated voucher” means child care assistance funds that ACS may provide to certain families pursuant to section 410-w of the social services law.

*Subsidized child care center.* The term “subsidized child care center” means a program or facility directly funded by ACS and permitted by the department of health and mental hygiene that is not a residence and that provides free or low cost child care to three or more children ages six weeks through four years old.

*Subsidized child care gap ratio.* The term “subsidized child care gap ratio” means the total of the number of children enrolled in subsidized child care centers and subsidized family child care programs, the number of vacant slots in subsidized child care centers and subsidized family child care programs, and the number of children receiving informal care with a mandated voucher or non-mandated voucher, divided by the number of eligible children.

*Subsidized family child care program.* The term “subsidized family child care program” means a program directly funded by ACS and registered or licensed by the department of health and mental hygiene that provides free or low cost child care in a residence to three or more children ages six weeks through four years old.

b. Beginning April 1, 2017, and quarterly thereafter, ACS, in consultation with the department of health and mental hygiene, shall submit to the mayor and speaker of the council and post on its website, no later than 30 days after the end of each quarter, a report regarding child care capacity in the city. Such report shall include, but need not be limited to:

1. The number of children under 13 years old, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

2. The number of income eligible children, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

3. The number of children enrolled in child care centers, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, and 48 to 59 months;

4. The number of children enrolled in family child care programs, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old;

5. The number of vacant slots in child care centers and family child care programs, disaggregated by total citywide, borough, community district and zip code;

6. The number of children enrolled in subsidized child care centers, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, and 36 to 47 months;

7. The number of children enrolled in subsidized family child care programs, disaggregated by total citywide, borough, community district and zip code, and by the age ranges of 0 to 23 months, 24 to 35 months, and 36 to 47 months;

8. The number of vacant slots in subsidized child care centers and subsidized family child care programs, disaggregated by total citywide, borough, community district and zip code;

9. The number of children receiving care with a mandated voucher, disaggregated by total citywide, borough, community district and zip code, by enrollment in child care centers, family child care programs and informal child care, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old; and

10. The number of children receiving care with a non-mandated voucher, disaggregated by total citywide, borough, community district and zip code, by enrollment in child care centers, family child care programs and informal child care, and by the age ranges of 0 to 23 months, 24 to 35 months, 36 to 47 months, 48 to 59 months, and 60 months to 12 years old.

c. No later than April 1, 2017, ACS shall submit to the mayor and speaker of the council and post on its website a plan to address the need for expanded child care capacity in the city. Such plan shall address, but need not be limited to:

1. How to assist with the creation of additional slots in child care centers and family child care programs in zip codes in which the child care gap ratio is less than 1.0;

2. How to assist with the creation of additional slots in subsidized child care centers and subsidized family child care programs in zip codes in which the subsidized child care gap ratio is less than 1.0;

3. How to assist with the creation and maintenance of adequate slots in subsidized child care centers and subsidized family child care programs in areas of economic transition;

4. How to assist with the creation and maintenance of adequate slots in subsidized child care centers and subsidized family child care programs in higher-income areas in which over 20 percent of households have incomes below the federal poverty level as updated annually by the federal department of health and human services; and

5. Any other issues related to child care capacity in the city that ACS deems appropriate, including any projected population growth and dispersal due to the creation of affordable housing pursuant to section 23-90 of the zoning resolution.

d. Beginning one year following the submission of the plan required by subdivision c of this section and every year thereafter, ACS shall submit to the mayor and speaker of the council and post on its website a report detailing progress made on the recommendations, initiatives and priorities that result from such plan.

e. ACS shall review and update the plan required by subdivision c of this section as appropriate every four years and shall submit to the mayor and speaker of the council and post on its website the updated plan not later than six months before the last day of each such fourth year.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1644

By Council Members Richards, Salamanca, Cohen, Constantinides, Rosenthal and Gentile.

**A Local Law to amend the New York city charter, in relation to creating a green project accelerator**

Be it enacted by the Council as follows: Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-d to read as follows:

§ 20-d. Green project accelerator. a. Definitions. As used in this section:

*Green project.* The term "green project" means construction work on a building, as such term is defined in section 28-101.5 of the administrative code, that will result in such building having all or part of its energy needs satisfied by energy that is generated onsite from:

1. A qualified energy resource, as such term is defined in section 45 of title 26 of the United States code;

2. A source that is determined to be renewable by the head of the green project accelerator or the head of another agency or office designated by the mayor; or

3. A source that is determined by the head of the green project accelerator or the head of another agency or office designated by the mayor to have (i) a positive environmental impact or (ii) a substantially lower negative environmental impact than other sources of energy other than those identified pursuant to paragraph 1 or 2 of this definition.

*Green project accelerator.* The term "green project accelerator" means the office established by this section.

b. *Green project accelerator office and duties.* The mayor shall establish an office to be known as the green project accelerator. Such office may, but need not be, established in the executive office of the mayor and may be established as a separate office or within any agency the head of which is appointed by the mayor. The duties of the green project accelerator include, but need not be limited to:

1. Establishing a program to (i) ensure expedited review and approval of applications and other documents submitted to the department of buildings in connection with green projects, (ii) provide guidance to applicants in connection with such projects and (iii) receive and respond to comments, questions and complaints with respect to such program;



2. Coordinating with the office of long-term planning and sustainability, fire department, department of small business services and other agencies to ensure that policies are in place to encourage the installation and maintenance of green projects; and

3. Making recommendations to the commissioner of buildings and the heads of other agencies with respect to streamlining the process for obtaining the necessary approvals to install and maintain green projects.

c. Reporting. 1. The head of the green project accelerator shall submit quarterly reports to the commissioner of buildings and to the head of any other relevant agency providing (i) a description of the most commonly received comments, questions and complaints received regarding green project installation and maintenance, (ii) a description of actions undertaken by the green project accelerator to coordinate with other agencies and the results of such coordination and (iii) recommendations made pursuant to paragraph 3 of subdivision b of this section.

2. By no later than three months after the end of each fiscal year, the head of the green project accelerator shall submit a report to the mayor and the speaker of the city council that (i) includes a compilation of the monthly reports submitted pursuant to subdivision c of this section during the such fiscal year and (ii) indicates each action taken by an agency as a result of a comment, question, complaint or recommendation from or forwarded by the green project accelerator.

d. Posting of information. The green project accelerator shall maintain a website and shall post on such website the phone number and electronic contact information of the green project accelerator and a statement indicating that any person may contact such green project accelerator if such person has a comment, question or complaint regarding the installation or maintenance of green projects.

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 1645

By Council Member Richards and Gentile

**A Local Law to amend the New York city charter, in relation to payments to and expenditures from the mandatory inclusionary housing affordable housing fund**

*Be it enacted by the Council as follows:*

Section 1. Chapter 61 of the New York city charter is amended by adding a new section 1806 to read as follows:

§ 1806. *Mandatory inclusionary housing affordable housing fund.* a. *For the purposes of this section, the following terms have the following meanings;*

*Affordable floor area.* The term “affordable floor area” has the same meaning as such term is defined in section 23-911 of the zoning resolution.

*Affordable housing fund.* The term “affordable housing fund” has the same meaning as such term is defined in section 23-911 of the zoning resolution.

*Affordable housing unit.* The term “affordable housing unit” has the same meaning as such term is defined in section 23-911 of the zoning resolution.

*Covered development.* The term “covered development” means a development subject to the requirements in mandatory inclusionary housing areas.

*Mandatory inclusionary housing area.* The term “mandatory inclusionary housing area” has the same meaning as such term is defined in section 12-10 of the zoning resolution.

b. *On or before January 1, 2018 and quarterly thereafter, the commissioner shall issue a public report on affordable housing fund contributions and expenditures and deliver such report to the mayor and the speaker of the city council. The information in such report shall be indexed by borough and community district and*

*shall include the total amount of money in such fund available for exclusive use in each community district and for use in each borough without regard to community district. Such report shall include the following information about each covered development that contributes to such fund: (i) the name; (ii) the location; (iii) the total number of housing units; (iv) the number of affordable housing units; (v) the amount of affordable floor area that would otherwise be required in such covered development in lieu of such contribution pursuant to section 23-154 of the zoning resolution; (vi) the total amount of such contribution;*

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 1646

By Council Members Rodriguez, Espinal, Chin, Lander and Menchaca

**A Local Law to amend the administrative code of the city of New York, in relation to gratuity for black car and luxury limousine service**

*Be it enacted by the Council as follows*

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-547 to read as follows:

§ 19-547 *Gratuity. a. Definitions. For the purposes of this section, “passenger-facing booking tools” means any website, smartphone application, software program accessed through an electronic device, or similar publicly-available tool utilized by a black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base. For purposes of this section, “line work” means a type of pre-arranged service provided pursuant to a contract with a black car base in which the dispatch and passenger assignment are completed at the point of pick up by an employee or contractor of either the black car base or the contracting party.*

*b. Any black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, utilizing a passenger-facing booking tool, shall include a gratuity option using one of the methods of payment passengers use to pay for the fare; provided, however, that this subdivision shall not apply to trips that are the result of line work. Drivers shall be made aware of any gratuity received by any passenger-facing booking tool as soon as practicable.*

*c. Any black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, that utilizes a passenger-facing booking tool shall issue a one-time notification to any prospective passenger that accesses such passenger-facing booking tool of the gratuity option pursuant to subdivision b of this section through such passenger-facing booking tool, or by electronic mail or text message.*

*d. Any black car base or luxury limousine base, or dispatch service provider operating on behalf of such a base, that has been found to have violated any provision of this section shall be subject to a civil penalty of not less than \$250 nor more than \$500 for each offense.*

§ 2. This local law takes effect 120 days after it becomes law, except that the Taxi and Limousine Commission shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Transportation.

Int. No. 1647

By Council Members Torres, Cohen and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to the scheduling of resurfacing projects**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 19-154 of the administrative code of the city of New York, as added by local law number 1 for the year 2012, is amended to read as follows:

a. The commissioner shall make available online through the department's website information regarding the resurfacing and capital improvement of city blocks. Such information shall include but *need* not be limited to: (i) what year city blocks were last resurfaced or received capital improvement; (ii) *a list of when city blocks are scheduled to be resurfaced or will receive capital improvement; and (iii) the current rating for city blocks pursuant to the department's street rating system as one of the following: good, fair, or poor.*

*b. The commissioner shall provide the information required in item (ii) of subdivision a of this section no later than five days after the department has set a date for a city block to be resurfaced or to receive capital improvement.*

*c. The commissioner shall post the information required in subdivision a of this section on the department's online map.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Res. No. 1528

**Resolution calling on the New York State Legislature to pass and the Governor to sign legislation to amend the New York State Penal Law to clarify when a person may be charged with resisting arrest.**

By Council Member Gentile.

**Whereas**, Pursuant to the New York State Penal Law Section 205.30, a person is guilty of resisting arrest when he or she intentionally prevents or attempts to prevent a police officer or peace officer from effecting an authorized arrest of himself or another person; and

**Whereas**, Penal Law Section 205.30, or "resisting arrest," is a class A misdemeanor, punishable by up to one year in jail or a fine of up to \$1,000; and

**Whereas**, Police officers may use the charge of resisting arrest to deter individuals from escalating encounters with the police, and to protect themselves and the public; and

**Whereas**, While using the resisting arrest charge can be a tool for police officers responding to volatile interactions with the public, criminal justice experts, such as Geoffrey Alpert, suggest it is often used by police officers in an attempt to justify use of force or an unlawful arrest; and

**Whereas**, In 2014, WNYC Data News conducted an analysis of New York City Police Department ("NYPD") records and found that a small percentage of the police force is responsible for most of the resisting arrest charges that are filed; and

**Whereas**, According to WYNC Data News, just 5% of the NYPD's officers accounted for 40% of the 51,503 resisting arrest charges that occurred from 2009-2012; and

**Whereas**, WYNC Data News also found racially disproportionate enforcement of the law, where black defendants are significantly more likely than white defendants to be additionally charged with resisting arrest in cases involving the most commonly charged crimes; and

**Whereas**, According to the WNYC Data News, a black person arrested for drug possession is 85% more likely to be charged with resisting arrest than a white person; and

**Whereas**, Legal service providers such as The Legal Aid Society have suggested that the disproportionate issuance of resisting arrest charges in minority communities is not necessarily a reflection of those who are being arrested, but could instead be a sign of more aggressive policing in those communities; and

**Whereas,** While police officers can charge a person with resisting arrest in conjunction with another charge, under the current language in the Penal Law, persons can also be charged with resisting arrest without being charged for the underlying crime from which the effectuation of the arrest need have stemmed; and

**Whereas,** The current language of New York State Penal Law Section 205.30 does not provide explicit guidelines as to what actions constitute resisting arrest; and

**Whereas,** Therefore, police officers have a wide-range of discretion as to how to interpret and enforce the law, making it difficult for the public to know which behaviors may be penalized and which may not; and

**Whereas,** In New York City, according to an analysis conducted by WNYC, more than half of resisting arrest charges are routinely dismissed in court, which calls into question the validity of such charges; and

**Whereas,** Providing officers and residents of New York City further guidelines regarding what constitutes resisting arrest, and ending the practice of charging people with resisting arrest who have not been charged with an underlying crime, will yield transparency and strengthen community relationships with law enforcement; 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 amend the New York State Penal Law to clarify when a person may be charged with resisting arrest.

Referred to the Committee on Public Safety.

Preconsidered L.U. No. 674

By Council Member Ferreras-Copeland:

**140-26 Franklin Ave., Block 5182, Lot 9; Queens, Community District No. 7, Council District No. 20.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 675

By Council Member Ferreras-Copeland:

**Sutter Gardens, Block 4027, Lot 1, Block 4043, Lot 1, Block 4044, Lot 1; Brooklyn, Community District No. 5, Council District No. 42.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 676

By Council Member Ferreras-Copeland:

**569 Prospect Avenue, Block 2674, Lot 9; Bronx, Community District No. 1, Council District No. 8.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

L.U. No. 677

By Council Member Greenfield:

**Application No. C 170162 ZMQ submitted by H&M, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the zoning map, section no. 9d, changing an existing C8-1 District to a C4-3 District for property on Northern Boulevard between 74<sup>th</sup> Street and 75<sup>th</sup> Street, Borough of Queens, Community Board 3, Council District 25.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 678

By Council Member Greenfield:

**Application No. N 170163 ZRQ submitted by H&M, LLC pursuant to Sections 201 of the New York City Charter, for an amendment of the New York City Zoning Resolution, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing Area, Borough of Queens, Community Board 3, Council District 25.**

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

<http://legistar.council.nyc.gov/Calendar.aspx>

**ANNOUNCEMENTS**

**Thursday, June 8, 2017**

**★ Deferred**

~~[Stated Council Meeting](#).....[Ceremonial Tributes](#) 1:00 p.m.  
.....[Agenda](#) 1:30 p.m.~~

**Monday, June 12, 2017**

**★ Deferred**

~~[Committee on General Welfare](#) jointly with the  
[Committee on Youth Services](#) ..... 10:00 a.m.~~

~~**Oversight** – Safe and Accessible Shelters for Homeless Youth.~~

~~**Int 1619** – By Council Members Johnson and Levin – **A Local Law** to amend the administrative code of the city of New York, in relation to runaway youth and homeless youth who have been turned away from any shelter under the jurisdiction of the department of youth and community development.~~

~~Council Chambers – City Hall ..... Stephen Levin, Chairperson  
Mathieu Eugene, Chairperson~~

~~[Committee on Civil Service and Labor](#) ..... 1:00 p.m.~~

~~**Int 1313** - By Council Members Ferreras-Copeland, Salamanca, Levin, Chin, Menchaca and the Public Advocate (Ms. James) (in conjunction with the Mayor) - **A Local Law** to amend the administrative code of the city of New York in relation to safe leave for victims of family offense matters, sexual offenses and stalking and their family members.~~

~~Committee Room – 250 Broadway, 16th Floor ..... I. Daneek Miller, Chairperson~~

~~[Committee on Technology](#) jointly with the  
[Committee on Public Safety](#) and the  
[Committee on Fire and Criminal Justice Services](#) ..... 1:00 p.m.~~

~~**Oversight** - Upgrading the City’s 911 System~~

~~Council Chambers – City Hall ..... James Vacca, Chairperson  
Vanessa L. Gibson, Chairperson  
Elizabeth Crowley, Chairperson~~

**Tuesday, June 13, 2017**

~~[Committee on Aging](#) ..... 10:00 a.m.~~

~~**Oversight** - How Can Naturally Occurring Retirement Communities Improve and Expand Services?~~

~~Council Chambers – City Hall ..... Margaret Chin, Chairperson~~

~~[Committee on Housing and Buildings](#) ..... 10:00 a.m.~~

~~**Proposed Int 385-B** - Council Members Mendez, Torres, Johnson, Chin, Constantinides, Cumbo, Koo, Reynoso, Rodriguez, Rose, Levine, Koslowitz, Rosenthal, Richards, Palma, Lander, Levin, Menchaca, Lancman, Dromm, Barron, Kallos, Ferreras-Copeland, Crowley, King, Gibson, Cabrera, Mealy, Maisel,~~

Miller, Cornegy, Mendez, Eugene, Van Bramer, Salamanca, Gentile, Vacca, Espinal, Cohen, Williams, Garodnick, Greenfield, Treyger, Deutsch, Grodenchik, Ulrich and the Public Advocate (Ms. James) - **A Local Law** to amend the administrative code of the city of New York, in relation to indoor asthma allergen hazards in residential dwellings and pest management, and to repeal section 27-2018 of the administrative code of the city of New York, relating to rodent and insect eradication and extermination.

**Proposed Int 1307-A** - By Council Member Williams (by request of the Mayor) - **A Local Law** to amend the New York city charter, in relation to department of buildings inspectors.

**Int 1589** - By Council Members Williams and Cornegy - **A Local Law** to amend the New York city building code and administrative code of the city of New York, in relation to boarders, lodgers or roomers in a private dwelling.

Council Chambers – City Hall

Jumaane D. Williams, Chairperson

**Wednesday, June 14, 2017**

[Committee on Higher Education](#).....10:00 a.m.

**Oversight** - CUNY School of Medicine

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Inez Barron, Chairperson

**★Deferred**

~~[Committee on Public Housing](#)..... 10:00 a.m.~~

~~**Oversight** – Examining the Quality, Efficacy, and Cost Effectiveness of NYCHA’s Security System.~~

~~Committee Room – City Hall~~

~~Ritchie Torres, Chairperson~~

[Committee on Public Safety](#).....10:00 a.m.

**Int 1482** - By Council Members Garodnick, Gibson, Lander, Vacca, Gentile, Koslowitz, Kallos, Dromm, Rodriguez, Rosenthal, Mendez, Levine, Johnson, Perkins and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to creating comprehensive reporting and oversight of NYPD surveillance technologies.

Council Chambers – City Hall

Vanessa L. Gibson, Chairperson

[Committee on General Welfare](#)..... 1:00 p.m.

**Int 1590** - By Council Members Cabrera and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to training for preventive services employees.

**Int 1598** - By Council Members Levin and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to preventive services surveys.

**Int 1601** - By Council Members Levin, the Speaker (Council Member Mark-Viverito) and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to childstat meetings.

**Int 1607** - By Council Members Rose and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration for children’s services to report more information regarding the caseloads of its front-line workers and child safety conferences.

**Int 1609** - By Council Members Salamanca and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration for children’s services to report annually on the aggregate findings and recommendations of its accountability review panel.

Council Chambers – City Hall

Stephen Levin, Chairperson

**Thursday, June 15, 2017**

[Committee on Land Use](#) ..1:00 p.m.

**Int 1533** - By Council Members Chin and Reynoso - **A Local Law** to amend the New York city charter, in relation to notice and reporting requirements for summary actions involving urban renewal plans.  
Council Chambers – City Hall David G. Greenfield, Chairperson

[Committee on Recovery and Resiliency](#) jointly with the  
[Committee on Parks and Recreation](#) .....1:00 p.m.

**Oversight** - Beach Erosion in New York City.  
Committee Room – City Hall Mark Treyger, Chairperson  
Mark Levine, Chairperson

**Monday, June 19, 2017**

[Committee on Immigration](#) .....10:00 a.m.

**Oversight** - Supporting New York City’s DREAMers and “DACA-mented” Youth.  
Council Chambers – City Hall Carlos Menchaca, Chairperson

[Committee on Oversight and Investigations](#) .....10:00 a.m.

**Int 1591** - By Council Members Crowley and Barron - **A Local Law** to amend the New York city charter, in relation to having an inspector general within the department of investigation who would monitor only the department of homeless services and the human resources administration.

**Int 1618** - By Council Members Gentile, Dromm, Lancman, Rosenthal and Torres - **A Local Law** to amend the New York city charter, in relation to requiring that the department of investigation conduct public outreach campaigns and issue annual reports on complaints received.

**Int 1633** - By Council Member Gentile, Rosenthal and Crowley - **A Local Law** to amend the New York city charter, in relation to requiring the department of investigation to complete vendor name checks for city vendors thirty days prior to the commencement of a contract.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor Vincent J. Gentile, Chairperson

[Committee on Civil Rights](#).....1:00 p.m.

**Oversight** - Examining the rise in discriminatory harassment claims received by the Commission on Human Rights in the last year, how these claims are addressed, and outreach efforts to ensure communities are aware they can go to the Commission with these claims.

**Res 614** – By Council Members Dromm, Johnson, Menchaca, Mendez, Torres, Van Bramer, Chin, Constantinides, Gentile, Gibson, Lander, Levine, Palma, Richards, Rose, Rosenthal, Koslowitz, Rodriguez, Vacca, Cumbo, Lancman, Ferreras-Copeland, Levin, Reynoso, Salamanca, Espinal, Barron, Grodenchik, Perkins, Crowley, Maisel, Garodnick, Kallos, Treyger and Miller - **Resolution** calling on the New York State Legislature to pass and the Governor to sign into law A.4558/S.61, which would prohibit discrimination on the basis of gender expression or identity and expand the State's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

**Res 1287** - By Council Members Dromm, Crowley, Menchaca, Chin, Constantinides and Rosenthal - **Resolution** calling on the United States Congress to pass and the President to sign H.R.3185/S.1858, the Equality Act, which would amend the Civil Rights Acts of 1964 and 1968 to include sexual orientation and gender identity as prohibited categories of discrimination or segregation with respect to employment, public accommodation and housing.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor Darlene Mealy, Chairperson

[Committee on Small Business](#) .....1:00 p.m.

**Int 1509** - By Council Members Cornegy and Gentile - **A Local Law** to amend the administrative code of the city of New York, in relation to access to online business tools.



**Int 1510** - By Council Members Cornegy, Levin, Salamanca, Gentile, Menchaca and Rosenthal - **A Local Law** in relation to a small business workforce development plan.

**Int 1511** - By Council Members Cornegy, Levin and Rosenthal - **A Local Law** in relation to a state of small business survey.

Committee Room – City Hall

Robert Cornegy, Chairperson

**Tuesday, June 20, 2017**

[Subcommittee on Zoning & Franchises](#).....9:30 a.m.

**See Land Use Calendar**

Council Chambers – City Hall

Donovan Richards, Chairperson

[Committee on Public Housing](#) ..... 10:00 a.m.

**Oversight** – Examining NYCHA’s Restructuring of Tenant Participation Activities (TPA) Funds.

Committee Room – 250 Broadway, 16<sup>th</sup> Floor

Ritchie Torres, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#) ..... 11:00 a.m.

**See Land Use Calendar**

Committee Room – City Hall

Peter Koo, Chairperson

[Subcommittee on Planning, Dispositions & Concessions](#)..... 1:00 p.m.

**See Land Use Calendar**

Committee Room – City Hall

Rafael Salamanca, Chairperson

**Wednesday, June 21, 2017**

**★ Note Location Change**

[Committee on Courts and Legal Services](#).....10:00 a.m.

**Oversight** - Examining Wage Theft in Low-wage Industries and Exploring the Expansion of Legal Services for Low-wage Workers.

★Committee Room – City Hall

Rory Lancman, Chairperson

[Committee on General Welfare](#)..... 1:00 p.m.

**Oversight** - From PATH to Permanency: Navigating the Shelter System as a Family with Children.

**Proposed Int 855-A** - By Council Members Kallos, Wills, Rosenthal, Reynoso, Rose, Richards, Rodriguez, Menchaca and Perkins - **A Local Law** to amend administrative code of the city of New York, in relation to notification of public assistance eligibility.

**Int 1461** - By Council Members Levin, Menchaca, Salamanca and Richards - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of social services to provide customer service training twice per year to all employees that interact with members of the public.

**Int 1577** - By Council Members Levin and Barron - **A Local Law** to amend the New York city charter, in relation to establishing an office of case management.

**Int 1597** - By Council Members Levin, Dromm, Barron, Rose, Johnson, Deutsch, Kallos and Rosenthal - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that the department of homeless services recognize time spent in foster care as homelessness for the purpose of meeting rental voucher eligibility requirements.

**Res 1462** – By Council Members Levin, Crowley, Vallone, Grodenchik, Richards, Salamanca, Rosenthal, Johnson, Chin, Palma and Barron - **Resolution** in support of the Home Stability Support plan, which would

create a new statewide rent supplement for families and individuals who are eligible for public assistance benefits and who are facing eviction, homelessness, or the loss of housing due to situations such as domestic violence or hazardous living conditions.  
 Council Chambers – City Hall Stephen Levin, Chairperson

[Committee on Governmental Operations](#).....1:00 p.m.  
**Int 1517** - By Council Member Kallos - **A Local Law** to amend the administrative code of the city of New York, in relation to the timing of a disclosure report for candidates for public office.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Ben Kallos, Chairperson

**Thursday, June 22, 2017**

[Committee on Economic Development](#) jointly with the  
[Committee on Contracts](#) .....10:00 a.m.  
**Oversight** - Assessing Efforts to Increase the Participation of Minority-and Women-Owned Business Enterprises in Construction Projects.  
**Int 1400** - By Council Members Rosenthal and Chin - **A Local Law** to amend the administrative code of the city of New York, in relation to the participation of minority-and women-owned business enterprises in construction projects related to properties receiving tax benefits in accordance with the industrial and commercial abatement program.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Daniel Garodnick, Chairperson

[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

[Committee on Juvenile Justice](#).....2:00 p.m.  
**Tour: South Bronx NeON**  
**Location: 198 East 161<sup>st</sup> Street**  
**Bronx, N.Y. 10451**  
 Details Attached .....Fernando Cabrera, Chairperson

**Tuesday, June 27, 2017**

[Committee on Health](#)..... 10:00 a.m.  
**Int 1621** - By Council Members Menchaca and Johnson - **A Local Law** to amend the administrative code of the city of New York, in relation to clarifying that gender reassignment surgery that will result in sterilization is not subject to a waiting period.  
**Res 1433** - By Council Members Levin, Rosenthal, Cumbo and Johnson - **Resolution** calling upon the New York State Legislature to pass and the Governor to sign A.528, which would amend the New York State insurance law to include the coverage of in vitro fertilization treatments.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Corey Johnson, Chairperson

[Committee on Women’s Issues](#)..... 10:00 a.m.  
**Int 1496** - By Council Members Rosenthal, Levin, Cabrera, Chin, Constantinides, Cornegy, Cumbo, Espinal, Eugene, Greenfield, Johnson, Koo, Koslowitz, Lancman, Lander, Levine, Maisel, Menchaca, Mendez, Miller,

Reynoso, Richards, Salamanca, Vallone, Van Bramer, Palma, Cohen, Gentile and Ulrich - **A Local Law** to amend the New York city charter, in relation to reporting on certain domestic violence initiatives.

**Int 1610** - By Council Members Salamanca and Rosenthal - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to offering resources and trainings to hairdressers to help them recognize potential signs of domestic violence in their clients.

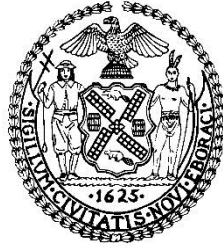
**Res 1292** - By Council Members Rosenthal, Crowley, Menchaca, Mendez, Cumbo and Chin - **Resolution** calling upon the New York State Legislature to pass and the Governor to sign legislation amending the Real Property Law to allow victims of domestic violence to terminate leases upon written notice to landlords.

Committee Room – City Hall

Laurie Cumbo, Chairperson

**Wednesday, June 28, 2017**

*Stated Council Meeting* ..... *Ceremonial Tributes – 1:00 p.m.*  
*Agenda – 1:30 p.m.*



**MEMORANDUM**

May 18, 2017

**TO:** ALL COUNCIL MEMBERS

**RE:** TOUR BY THE COMMITTEE ON JUVENILE JUSTICE

**Please be advised that all Council Members are invited to attend a tour to:**

**South Bronx NeON  
198 East 161<sup>st</sup> Street  
Bronx, N.Y. 10451**

The Tour will be on **Thursday, June 22, 2017 beginning at 2:00 p.m.** A van will be leaving City Hall at **12:30 p.m. sharp.**

Council Members interested in riding the van should call William J. Hongach at **212-482-5429.**

Fernando Cabrera, Chairperson  
Committee on Juvenile Justice

Melissa Mark-Viverito  
Speaker of the Council

During the Communication from Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) extended her thoughts and the thoughts of the Council to NYPD Officer Dash Veve, 35, who was recovering from a grievous injury in the line of duty at King's County Hospital. Officer Veve was injured after being dragged by the driver of a stolen car for two blocks in East Flatbush, Brooklyn on June 4, 2017. She thanked Council Member Eugene for his leadership on the matter and she also thanked the staff and doctors at King's County Hospital for attending to Officer Veve. The Speaker (Council Member Mark-Viverito) also thanked Council Member Cabrera for his Invocation and asked that we keep the five-year old he mentioned during his prayer, Jaheen Hunter, in our thoughts as well. Jaheen was shot in the head by a stray bullet on a South Bronx street on June 5, 2017 and was recovering from this injury.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) thanked Senior Project Manager of the Land Use Division Peter Janicek for his 32 years of service to the Council. Mr. Janicek was retiring that month after serving under five Speakers and 20 Subcommittee on Zoning chairs.

In addition, the Speaker (Council Member Mark-Viverito) and many Council Members praised the Finance Division team under Director Latonia McKinney throughout the Meeting for their work on the FY 2018 Budget. Council Member Ferreras-Copeland, chair of the Finance Committee, was recognized and praised as well.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) recessed this Meeting subject to call.

*Editor's Local Law Note: Int. Nos. 282-A, 418-A, 514-A, 518-A, 722-A, 823-A, 848-A, 951-A, 1028-B, 1117-A, 1177-A, 1200-A, 1218-A, 1285-A, 1305-A, 1346-A, 1384-A, 1387-A, 1388-A, 1390-A, 1391-A, 1392-A, 1393-A, 1394-A, 1395-A, 1396-A, 1456-A, and 1586 were signed into law by the Mayor on May 30, 2017 as, respectively, Local Law Nos. 82 through 109 of 2017. Int. Nos. 518-A, 823-A, 1028-B, 1117-A, 1177-A, 1218-A, 1285-A, 1346-A, and 1586 were adopted by the Council at the May 10, 2017 Stated Meeting. Int. Nos. 282-A, 418-A, 514-A, 722-A, 848-A, 951-A, 1200-A, 1305-A, 1384-A, 1387-A, 1388-A, 1390-A, 1391-A, 1392-A, 1393-A, 1394-A, 1395-A, 1396-A, and 1456-A were adopted by the Council at the May 24, 2017 Stated Meeting.*

