

# THE COUNCIL

STATED MEETING OF

THURSDAY, JANUARY 22, 2015

## THE COUNCIL

Minutes of the Proceedings for the  
STATED MEETING

of

Thursday, January 22, 2015 1:34 p.m.

The Public Advocate (Ms. James)

Acting President Pro Tempore and Presiding Officer

### Council Members

Melissa Mark-Viverito, Speaker

Maria del Carmen Arroyo	Vanessa L. Gibson	I. Daneek Miller
Inez D. Barron	David G. Greenfield	Annabel Palma
Fernando Cabrera	Vincent M. Ignizio	Antonio Reynoso
Margaret S. Chin	Corey D. Johnson	Donovan J. Richards
Andrew Cohen	Ben Kallos	Ydanis A. Rodriguez
Costa G. Constantinides	Peter A. Koo	Deborah L. Rose
Robert E. Cornegy, Jr.	Karen Koslowitz	Helen K. Rosenthal
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
Inez E. Dickens	Mark Levine	James Vacca
Daniel Dromm	Alan N. Maisel	Paul A. Vallone
Rafael L. Espinal, Jr.	Steven Matteo	James G. Van Bramer
Mathieu Eugene	Darlene Mealy	Mark S. Weprin
Julissa Ferreras	Carlos Menchaca	Jumaane D. Williams
Daniel R. Garodnick	Rosie Mendez	Ruben Wills
Vincent J. Gentile		

Absent: Council Member King.

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

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

*There were 50 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.*

*Editor's Note: In anticipation of the passage of the street re-naming bill Int No. 620, a special ceremony was held before the Stated Meeting honoring the late Detectives Wenjian Liu and Ramon Ramos in whose honor two streets will be co-named. NYPD Officers Liu, 32, and Ramos, 40, both of the 84th Precinct were assassinated in their patrol car on December 20, 2014 while working on special detail for the 79th Precinct in Bedford-Stuyvesant, Brooklyn. They were posthumously promoted to first grade Detective. The Speaker (Council Member Mark-Viverito) recognized the late Detectives' wives Pei Xia Chen and Maritza Ramos and members of the Liu and Ramos family in attendance. Also recognized were Police Commissioner William Bratton, Deputy Inspector John Chell of the 79th Precinct, Captain Sergio Centa of the 84th Precinct, Patrick Lynch, president of the Police Benevolent Association, and members of the Detectives' Endowment Association. During the ceremony, Police Commissioner Bratton and PBA*

*President Lynch spoke briefly to those assembled. After the adoption of the street re-naming bill at the Meeting, the respective families of Detectives Liu and Ramos were applauded as they left the Chambers.*

## INVOCATION

The Invocation was delivered by Father Raymond Nobiletti, Church of the Transfiguration, Roman Catholic, 25 Mott Street, New York, N.Y. 10013.

Let us bow down our heads and ask for God's blessings.  
Lord God, we thank you for the gift of life  
of Detective Rafael Ramos and Detective Wenjian Liu  
and all those in public service in our city  
who sacrificed themselves and their families  
so that we may live in peace, good health and harmony.  
We ask you to bless their families  
with the support and understanding needed  
in this time of loss and grief.  
Let the legacy of these two men  
be one of heroism and sacrifice  
given for us here to day  
and for the future generations of New York City.  
And may this dedication today  
reminder for the generations to come  
that each one of us can,  
through our own gifts and talents,  
contribute to the peace and harmony  
of this great City of New York.

*(Rev. Nobiletti then proceeded to give the Invocation in Cantonese and in Spanish)*

Amen.

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

## ADOPTION OF MINUTES

Council Member Barron moved that the Minutes of the Stated Meeting of December 17, 2014 be adopted as printed.

## MESSAGES & PAPERS FROM THE MAYOR

M-224

**Communication from the Mayor - Submitting the name of Wellington Chen to the Council for its advice and consent regarding his appointment as a member of the Landmarks Preservation Commission, pursuant to Sections 31 and 3020 of the New York City Charter.**

January 16, 2015

The Honorable Melissa Mark-Viverito  
New York City Council City Hall  
New York, NY 10007

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of Wellington Chen to the City Council for advice and consent in anticipation of his appointment to the Landmarks Preservation Commission.

When appointed, Mr. Chen will serve for the remainder of a three-year term expiring on June 28, 2015.

I send my thanks to you and all Council Members for reviewing this Landmarks Preservation Commission appointment.

Sincerely,

Bill de Blasio Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-225

**Communication from the Mayor - Submitting the name of Kim Vauss to the Council for its advice and consent regarding her appointment as a member of the Landmarks Preservation Commission, pursuant to Sections 31 and 3020 of the New York City Charter.**

January 16, 2015

The Honorable Melissa Mark-Viverito  
New York City Council City Hall  
New York, NY 10007

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 3020 of the New York City Charter, I am pleased to present the name of Kim Vauss to the City Council for advice and consent in anticipation of her appointment to the Landmarks Preservation Commission.

When appointed, Ms. Vauss will serve for the remainder of a three-year term expiring on June 28, 2017.

I send my thanks to you and all Council Members for reviewing this Landmarks Preservation Commission appointment.

Sincerely,

Bill de Blasio  
Mayor

Referred to the Committee on Rules, Privileges and Elections.

M-226

**Communication from the Mayor - Submitting the name of Hank Willis Thomas to the Council for its advice and consent regarding his appointment as the painter member of the New York City Art Commission, known as Public Design Commission, pursuant to Sections 31 and 851 of the New York City Charter.**

January 16, 2015

The Honorable Melissa Mark-Viverito  
New York City Council City Hall  
New York, NY 10007

Dear Speaker Mark-Viverito:

Pursuant to Sections 31 and 851 of the New York City Charter, I am pleased to present the name of Hank Willis Thomas to the City Council for advice and consent in anticipation of his appointment as the painter member of the New York City Art Commission, known as the Public Design Commission.

When appointed, Mr. Thomas will serve for the remainder of a three-year term expiring on Dec 31, 2017.

I send my thanks to you and all Council Members for reviewing this Public Design Commission appointment.

Sincerely,

Bill de Blasio  
Mayor

Referred to the Committee on Rules, Privileges and Elections.

#### LAND USE CALL UPS

M-227

By Council Member Johnson:

**Pursuant to Rule 11.20b of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 89 MacDougal Street, Borough of Manhattan, Community Board No. 2, Application No. 20155146 TCM shall be subject to review by the Council.**

Coupled on Roll Call.

#### LAND USE CALL UP VOTE

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

**Affirmative** – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) stated that the Council would vote that afternoon on the Parks and Recreation street re-naming bill Int No. 620. In addition to co-naming streets for the late Detectives Wenjian Liu and Ramon Ramos, streets would also be co-named for New York City Sanitation worker Steven Frosch, 43, who was killed in an accident in 2014 at the Maspeth garage where he worked, and Edwin Thomas, 46, a New York City bus driver on who was murdered by a passenger in 2008 on the B46 line. At this point, the floor was yielded to Council Members Espinal and Treyger, in whose districts the co-naming of streets for Detectives Liu and Ramos are to take place. Both Council Members spoke briefly to those assembled.

At a later point in the Meeting, the Public Advocate (Ms. James) asked those assembled to rise and salute twelve rookie Police Officers from Brooklyn's Police Service Areas 3 Housing Bureau who were seated in the balcony. Council Member Cornegy had recognized and welcomed these officers who were trained under the new NYPD mentoring program.

#### REPORTS OF THE STANDING COMMITTEES

##### Report of the Committee on Education

Report for Int. No. 126-A

**Report of the Committee on Education in favor of approving and adopting, a Local Law to amend the administrative code of New York, in relation to requiring the reporting of environmental data regarding schools.**

The Committee on Education, to which the annexed proposed amended local law was referred on March 12, 2014 (Minutes, page 613), respectfully

#### REPORTS:

##### INTRODUCTION

On Wednesday, January 21, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will hold a hearing on Proposed Int. No. 126-A, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report environmental data regarding schools. This will be the second hearing held by the Committee on this legislation. The first hearing was held by the Committee on Thursday, April 24, 2014. At that hearing, the New York City Department of Education, education advocates and environmental advocates provided testimony.

##### ANALYSIS

Section one of Proposed Int. No. 126-A would amend the administrative code of the city of New York by adding a Chapter 4 to title 21-A. The chapter would be entitled "Environmental Data Reporting."

Section 21-954 of Chapter 4 of title 21-A would provide the following definitions in a subdivision a for the purposes of this section: "contaminant" would mean any element, substance, compound or mixture that, after release into the environment, upon exposure, ingestion, inhalation, or assimilation into any organism will or may reasonably be anticipated to cause illness, death or deformation in any organism; "contaminant" would also include any physical, chemical, biological, or radiological substance or matter in water; "environmental report" would mean any final, written report concerning the environmental assessment, investigation or remediation of any public school or any proposed public school prepared by or at the request of the department or the New York City School Construction Authority, including but not limited to any report on the quality of the air, soil, water, or indoor environment conducted pursuant to a consent order or agreement with the United States Environmental Protection Agency, the United States Department of Labor, the New York State Department of Environmental Conservation, the New York State Department of Health, or the New York State Department of Labor that is submitted by the New York City Department of Education or the New York City School Construction Authority to such federal or state agency; "hazardous substances" would mean listed hazardous substances as set forth in part 302.4 of title 40 of the code of federal regulations or any successor regulations; "maximum level" would mean the maximum level set forth in applicable regulatory guidelines established by the United States Environmental Protection Agency, the United States Department of Labor, the New York State Department of Health, the New York State Department of Environmental Conservation, the New York State Department of Labor or the New York City Department of Environmental Protection or, if no such applicable regulatory guidelines have been established, the acceptable level for a substance as determined by the department or the New York City School Construction Authority, based on current industry standards and relevant published scientific data and guidance. For the purposes of the new section, maximum levels would include but not be limited to indoor air contamination which equals the maximum allowed by air guidance values set forth by the New York State Department of Health, soil gas under or within one hundred feet of a public school which equals the maximum allowed by guidance levels set forth by the New York State Department of Health, soil contamination which equals the maximum allowed by guidance levels set forth by the New York State Department of Environmental Conservation in subpart 375.6 of title 6 of the official compilation of codes, rules and regulations of the state of New York or successor regulations, and the maximum allowed contaminant level of a contaminant in water delivered to any user of a public water system, including groundwater at or within one hundred feet of a public school, as set forth in subpart 5-1 of part 5 of title 10 of the official compilation of codes, rules and regulations of the state of New York or successor regulations; "pollutant" would mean any substance the emissions of which cause or contribute to air pollution, as set forth in part 50 of title 40 of the code of federal regulations or any successor regulations; "public school" would mean any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from pre-kindergarten through grade twelve and any grounds adjacent to a building owned or leased by the department in which a school is located; "proposed public school" would mean property for which the Department of Education or the New York City School Construction Authority has executed a lease agreement for the siting of a public school; and "reportable environmental inspection" would mean any environmental inspection conducted in or adjacent to an occupied or unoccupied public school or proposed public school by or under the direction of the Department of Education or the New York City School Construction Authority, including any inspection conducted at the request of the United States Environmental Protection Agency, the United States Department of Labor, the New York State Department of Environmental Conservation, the New York State Department of Health, or the New York State Department of Labor or pursuant to a consent order or agreement by or with a regulatory agency, to determine the quality of the air, soil, water, or indoor environment, and that yields results that exceed maximum levels based on industry standards and current scientific data. Such inspections would include, but not be limited to, any visual inspection or sampling test conducted to assess the presence of contaminants, hazardous substances, or pollutants. Such inspections would not include testing or inspections for asbestos, lead or polychlorinated biphenyls. Such inspections would also not include environmental inspections that yield results that exceed maximum levels when the department, the New York City School Construction Authority or their consultants reasonably expect such levels to return to at or below maximum levels through ventilation or cleaning within twenty-four hours, provided that the results that exceed maximum levels have returned to at or below maximum levels within such twenty-hour period and have not occurred in substantially the same space within the previous year.

Subdivision b of new section 21-954 would require that the Department of Education notify the parents of current students and the current employees of any public school that has been the subject of a reportable environmental inspection or environmental report. Notwithstanding the defined terms, such notification would not include the results of any environmental inspection or environmental report for polychlorinated biphenyls, asbestos or lead, except to the extent such notification is otherwise required by federal, state or local law. However, subdivision b of new section 21-954 would require that the Department of Education notify such parents and employees when an inspection for asbestos, lead or polychlorinated biphenyls has shown the presence of contaminants, hazardous substances or pollutants other than asbestos, lead or polychlorinated biphenyls that exceeds the maximum levels for such contaminants, hazardous substances or pollutants. Subdivision b of new section 21-954 would require that the Department of Education also make reasonable efforts

to notify the parents of former students and former employees of any school for which notification would be required pursuant to this subdivision.

Subdivision c of new section 21-954 would require the Department of Education to notify the directors of all afterschool programs under the jurisdiction of the Department of Education, including but not limited to, any athletic programs, known to utilize any school building or other school property for which notification would be required pursuant to subdivision b of this new section.

Subdivision d of section 21-954 would require the Department of Education to notify all local elected officials, community education councils and local community boards representing the district of any school for which notification would be required pursuant to subdivision b of this section.

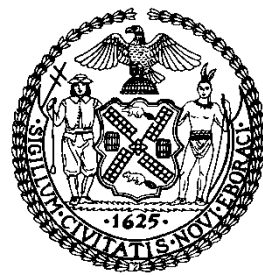
Subdivision e of section 21-954 would require that any notification required pursuant to subdivisions b, c or d of this new section to occur within ten days of receipt of the results that trigger such notification requirement. If such results are received during a scheduled school vacation period exceeding five days, such notification would be required no later than ten days following the end of such period. Such notification would include, but not be limited to, written notification by electronic mail for all parents, elected officials, employees, after school program directors, and other individuals who opt to receive notification in such manner.

Subdivision f of section 21-954 would require the Department of Education to conspicuously post a link to any environmental report or reportable environmental inspection on the department's website within ten days of receipt of such report or inspection. Such reports or reportable inspections would be searchable by school, community school district, council district and borough.

Subdivision g of section 21-954 would require that no later than November 1, 2015, and annually thereafter, the Department of Education would have to submit to the City Council and conspicuously post to its website a report regarding the results of any reportable environmental inspection and environmental report concerning any public school including any report required pursuant to federal or state law or by any regulatory agency. The report would include, but need not be limited to: 1) a summary of any reportable environmental inspections or environmental reports for the prior school year, including, but not limited to, information regarding any inspection and sampling of groundwater, ambient air, gas, soil, soil gas, and dust, unless such reporting is already required by local law; 2) information regarding any investigative or remedial work conducted by the Department of Education, in response to any reportable environmental inspection, to mitigate the effects of any air, soil, water, or indoor environment condition including, but not limited to, measures taken to address the presence of hazardous substances, contaminants and pollutants that exceed maximum levels, the timeframe within which such action was taken, the timeframe within which employees and parents of students were notified of such action, and information regarding whether such air, soil, water, or indoor environment condition was resolved as a result of such action; 3) information regarding any reportable environmental inspection or any environmental report related to the overall progress of the Department of Education's efforts to improve air quality in public schools, including any reportable environmental inspection for air quality related to school renovations, including, but not limited to, the replacement of ceilings; 4) the current status of any site subject to a consent order or agreement with the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or the New York State Department of Health; and 5) that all information required by this subdivision be aggregated citywide, and also disaggregated by school, community school district, council district and borough.

Section 2 of Proposed Int. No. 126-A would mandate that this local law take effect 90 days after its enactment into law.

**(The following is the text of the Fiscal Impact Statement for Int. No. 126-A:)**



**THE COUNCIL OF THE CITY OF NEW YORK**

**FINANCE DIVISION**

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO. 126-A**

**COMMITTEE:**  
EDUCATION

**TITLE:** A Local Law to amend the administrative code of the City of New York, in relation to requiring the reporting of environmental data regarding schools.

**SPONSORS:** Council Members Cabrera, Barron, Chin, Cohen, Constantinides, Eugene, Ferreras, Koo, Lancman, Palma, Reynoso, Richards, Rose, Torres, Williams, Rosenthal, Levin, Cumbo, Wills, Gentile, Maisel and Miller

**SUMMARY OF LEGISLATION:** Proposed Intro. No.126-A would require the Department of Education (DOE) to notify current parents and current employees of any public school of the results of any environmental inspection or report regarding the school. Such notification shall also be made to afterschool directors, elected officials, community education councils, and local community boards. DOE would also be required to make reasonable efforts to make the notification to former

employees and parents of former students. All environmental inspections or reports that trigger the notification requirements would have to be posted on the DOE website within ten days of receipt.

Proposed Intro. No. 126-A would also require DOE to submit to the City Council and post on the DOE's website, annually in November, a report regarding the results of environmental inspections and environmental reports concerning any public school. The report would include: (i) a summary of any inspections or reports for the prior school year including, but not limited to, inspections of groundwater, air, gas, soil and dust; (ii) information regarding any investigative or remedial work conducted in schools to address the presence of any hazardous substances; (iii) information regarding the timeframe within which the remedial action was taken and when parents and employees were notified; and (iv) an update on the DOE's overall progress on improving air quality in schools.

**Effective Date:** This local law would take effect 90 days after its enactment into law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FISCAL YEAR 2016

**FISCAL IMPACT STATEMENT:**

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from this legislation since the Department of Education has indicated that the agency would be able to comply with all of

the requirements of the proposed legislation using existing resources, despite the significant challenges to the Department related to finding contact information for parents of former students and former school employees.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCES OF INFORMATION:** New York City Council Finance Division  
Department of Education  
Office of Management and Budget

**ESTIMATE PREPARED BY:** Madina Nizamitdin, Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Regina Poreda Ryan, Deputy Director, Finance Division  
Rebecca Chasan, Assistant Counsel, Finance Division  
Tanisha Edwards, Chief Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 126 on March 12, 2014 and referred to the Committee on Education. A hearing was held by the Committee on April 24, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 126-A, will be considered by the Committee on January 21, 2014. Upon a successful vote by the Committee, Proposed Intro. 126-A will be submitted to the full Council for a vote on January 22, 2015.

**DATE PREPARED:** January 21, 2015

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 126-A:)**

Int. No. 126-A

By Council Members Cabrera, Barron, Chin, Constantinides, Eugene, Ferreras, Koo, Lancman, Palma, Reynoso, Richards, Rose, Torres, Williams, Rosenthal, Levin, Cumbo, Wills, Gentile, Maisel, Miller, Kallos, Dromm, Deutsch, Garodnick and Lander.

**A Local Law to amend the administrative code of New York, in relation to requiring the reporting of environmental data regarding schools**

*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 4 to title 21-A to read as follows:

*Chapter 4. Environmental Data Reporting*

*§ 21-954 Environmental data reporting. a. For the purposes of this section:*

*“Contaminant” shall mean any element, substance, compound or mixture that, after release into the environment, upon exposure, ingestion, inhalation, or assimilation into any organism will or may reasonably be anticipated to cause illness, death or deformation in any organism; “contaminant” shall also include any physical, chemical, biological, or radiological substance or matter in water.*

*“Environmental report” shall mean any final, written report concerning the environmental assessment, investigation or remediation of any public school or any proposed public school prepared by or at the request of the department or the New York city school construction authority, including but not limited to any report on the quality of the air, soil, water, or indoor environment conducted pursuant to a consent order or agreement with the United States environmental protection agency, the United States department of labor, the New York state department of environmental conservation, the New York state department of health, or the New York state department of labor that is submitted by the department or the New York city school construction authority to such federal or state agency.*

*“Hazardous substances” shall mean listed hazardous substances as set forth in part 302.4 of title 40 of the code of federal regulations or any successor regulations.*

*“Maximum level” shall mean the maximum level set forth in applicable regulatory guidelines established by the United States environmental protection agency, the United States department of labor, the New York state department of health, the New York state department of environmental conservation, the New York state department of labor or the department of environmental protection or, if no such applicable regulatory guidelines have been established, the acceptable level for a substance as determined by the department or the New York city school construction authority, based on current industry standards and relevant published scientific data and guidance. For the purposes of this section, maximum levels shall include but shall not be limited to indoor air contamination which equals the maximum allowed by air guidance values set forth by the New York state department of health, soil gas under or within one hundred feet of a public school which equals the maximum allowed by guidance levels set forth by the New York state department of health, soil contamination which equals the maximum allowed by guidance levels set forth by the New York state department of environmental conservation in subpart 375.6 of title 6 of the official compilation of codes, rules and regulations of the state of New York or successor regulations, and the maximum allowed contaminant level of a contaminant in water delivered to any user of a public water system, including groundwater at or within one hundred feet of a public school, as set forth in subpart 5-1 of part 5 of title 10 of the official compilation of codes, rules and regulations of the state of New York or successor regulations.*

*“Pollutant” shall mean any substance the emissions of which cause or contribute to air pollution, as set forth in part 50 of title 40 of the code of federal regulations or any successor regulations.*

*“Public school” shall mean any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from pre-kindergarten through grade twelve and any grounds adjacent to a building owned or leased by the department in which a school is located.*

*“Proposed public school” shall mean property for which the department or the New York city school construction authority has executed a lease agreement for the siting of a public school.*

*“Reportable environmental inspection” shall mean any environmental inspection conducted in or adjacent to an occupied or unoccupied public school or proposed public school by or under the direction of the department or the New York city school construction authority, including any inspection conducted at the request of the United States environmental protection agency, the United States department of labor, the New York state department of environmental conservation, the New York state department of health, or the New York state department of labor or pursuant to a consent order or agreement by or with a regulatory agency, to determine the quality of the air, soil, water, or indoor environment, and that yields results that exceed maximum levels based on industry standards and current scientific data. Such inspections shall include, but not be limited to, any visual inspection or sampling test conducted to assess the presence of contaminants, hazardous substances, or pollutants. Such inspections shall not include testing or inspections for asbestos, lead or polychlorinated biphenyls. Such inspections shall also not include environmental inspections that yield results that exceed maximum levels when the department, the New York city school construction authority or their consultants reasonably expect such levels to return to at or below maximum levels through ventilation or cleaning within twenty-four hours, provided that the results that exceed maximum levels have returned to at or below maximum levels within such twenty-hour period and have not occurred in substantially the same space within the previous year.*

*b. The department shall notify the parents of current students and the current employees of any public school that has been the subject of a reportable environmental inspection or environmental report. Notwithstanding the above, such notification shall not include the results of any environmental inspection or environmental report for polychlorinated biphenyls, asbestos or lead, except to the extent such notification is otherwise required by federal, state or local law; provided that, the department shall notify such parents and employees when an inspection for asbestos, lead or polychlorinated biphenyls has shown the presence of contaminants, hazardous substances or pollutants other than asbestos, lead or polychlorinated biphenyls that exceeds the maximum levels for such contaminants,*

hazardous substances or pollutants. The department shall also make reasonable efforts to notify the parents of former students and former employees of any school for which notification is required pursuant to this subdivision.

c. The department shall notify the directors of all afterschool programs under the jurisdiction of the department, including but not limited to, any athletic programs, known to utilize any school building or other school property for which notification is required pursuant to subdivision b of this section.

d. The department shall notify all local elected officials, community education councils and local community boards representing the district of any school for which notification is required pursuant to subdivision b of this section.

e. Any notification required pursuant to subdivisions b, c or d of this section shall occur within ten days of receipt of the results that trigger such notification requirement; provided that if such results are received during a scheduled school vacation period exceeding five days, such notification shall occur no later than ten days following the end of such period. Such notification shall include, but not be limited to, written notification by electronic mail for all parents, elected officials, employees, after school program directors, and other individuals who opt to receive notification in such manner.

f. The department shall conspicuously post a link to any environmental report or reportable environmental inspection on the department's website within ten days of receipt of such report or inspection. Such reports or reportable inspections shall be searchable by school, community school district, council district and borough.

g. Not later than November first, two thousand fifteen and annually thereafter, the department shall submit to the council and conspicuously post to its website a report regarding the results of any reportable environmental inspection and environmental report concerning any public school including any report required pursuant to federal or state law or by any regulatory agency. The report shall include, but need not be limited to:

1. A summary of any reportable environmental inspections or environmental reports for the prior school year, including, but not limited to, information regarding any inspection and sampling of groundwater, ambient air, gas, soil, soil gas, and dust, unless such reporting is already required by local law.

2. Information regarding any investigative or remedial work conducted by the department, in response to any reportable environmental inspection, to mitigate the effects of any air, soil, water, or indoor environment condition including, but not limited to, measures taken to address the presence of hazardous substances, contaminants and pollutants that exceed maximum levels, the timeframe within which such action was taken, the timeframe within which employees and parents of students were notified of such action, and information regarding whether such air, soil, water, or indoor environment condition was resolved as a result of such action.

3. Information regarding any reportable environmental inspection or any environmental report related to the overall progress of the department's efforts to improve air quality in public schools, including any reportable environmental inspection for air quality related to school renovations, including, but not limited to, the replacement of ceilings.

4. The current status of any site subject to a consent order or agreement with the United States environmental protection agency, the New York state department of environmental conservation or the New York state department of health.

5. All information required by this subdivision shall be aggregated citywide, as well as disaggregated by school, community school district, council district and borough.

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

DANIEL DROMM, Chairperson; VINCENT J. GENTILE, DANIEL R. GARODNICK, MARGARET S. CHIN, DEBORAH L. ROSE, MARK S. WEPRIN, JUMAANE D. WILLIAMS, ANDY L. KING, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, MARK TREYGER; Committee on Education, January 21, 2015. Other Council Members Attending: Cabrera.

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

**Reports of the Committee on Finance**

Report for Int. No. 612-A

**Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.**

The Committee on Finance, to which the annexed proposed amended local law was referred on January 7, 2015 (Minutes, page 123), respectfully

**REPORTS:**

On Thursday, January 21, 2015, the Committee on Finance will consider Proposed Int. 612-A, a local law to amend the Administrative Code in relation to the sale of tax liens.

**A. BACKGROUND**

A lien is a legal claim against real property for unpaid property taxes, water, sewer or other property charges, as well as the interest due on these taxes and charges.<sup>1</sup> When outstanding amounts have been delinquent for a legally specified period of time, and the City has mailed notice to the property owner, the City of New York is allowed to sell the lien(s) to an authorized third party, who becomes the "tax lien purchaser".<sup>2</sup> The new tax lien purchaser then has the authority to collect the money that was previously owed to the City, plus other fees and interest.<sup>3</sup>

**B. LEGISLATIVE HISTORY**

In the spring of 1996, the Council adopted Local Law No. 26 of 1996, which provided that "a tax lien or tax liens on a property or any component of the amount thereof may be sold by the city when such tax lien or tax liens shall have remained unpaid in whole or in part for one year, provided, however, that a tax lien or tax liens on any class 1 property or on class 2 property that is a residential condominium or residential cooperative, as such classes of property are defined in subdivision 1 of section 1802 of the real property tax law, may be sold by the city only when the real property tax component of such tax lien or tax liens shall have remained unpaid in whole or in part for three years...." Local Law No. 26 did not permit the City to sell **any** tax lien or tax liens that did not contain a real property tax component. In other words, tax liens on any property that were comprised solely of unpaid water and sewer charges and/or non-property tax lienable charges could not be sold by the City.<sup>4</sup>

In 1997, and again in 2001, the Council enacted legislation that extended the Commissioner's authority to sell tax liens.<sup>5</sup> Together, these local laws excluded from the lien sale property owned by a company organized pursuant to article XI of the State Private Housing Finance Law, and allowed the sale of liens on class 4 properties with only a water or sewer component so long as the property was in arrears for a minimum of one year. In 2006, after a series of amendments and extensions, the tax lien program, pursuant to Local Law 2 of 2006, was extended until August 31, 2006.<sup>6</sup>

In 2007, the Council enacted Local Law 68 of 2007 which reauthorized and extended the Commissioner's authority to sell tax liens based on delinquent property taxes or delinquent water and sewer charges until December 31, 2010.<sup>7</sup> This legislation authorized the Commissioner for the first time to conduct stand-alone lien sales of delinquent water and sewer charges on certain residential properties.

In 2011, the Council again enacted legislation that extended the Commissioner's authority to sell tax liens.<sup>8</sup> Local Law 15 of 2011 made significant changes to the lien sale law, as described in more detail below, and added a host of property owner protections that had never before existed in the law. The legislation also authorized the Commissioner to sell liens for delinquent charges pursuant to the Emergency Repair Program and the Alternative Enforcement Program. The Commissioner's authority to sell tax liens under Local Law 15 expired on December 31, 2014.

**C. Delinquency Rates**

**1. Property Tax Delinquency**

Since the lien sale was first implemented in 1996, the Commissioner has had the authority to sell the liens of properties with unpaid real property taxes. One goal of the tax lien sale program was to increase property tax collections and thereby lower the delinquency rate. According to the 1999 Mayor's Management Report, the real property tax delinquency rate was almost 5 percent in the early to mid-1990s, before implementation of the tax lien sale program. The following table shows the property tax delinquency rates from Fiscal 1995 (the year before the enactment of Local Law 26 of 1996) through 2008 from data provided by the Mayor's Office of Management and Budget:

**Property Tax Delinquency Rate: Fiscal 1995-2008**

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
4.8%	3.7%	3.7%	3.5%	3.4%	3.1%	2.9%	3.3%	2.7%	2.4%	2.4%	2.0%	2.1%	1.8%

Since 2008, according to the Department of Finance, the percentage of property owners who pay their property tax bills on time remain consistently at 98%.

**2. Water and Sewer Charge Delinquency Rate**

On October 22, 2007, the Committee on Finance held an oversight hearing to examine the lower than expected rate of collection by DEP of water bills including DEP's inability to effectively collect overdue bills.<sup>9</sup> Pursuant to Local Law 2 of 2006, the liens on real property tax class 1 properties and In order for Tax Class 1 properites , class 22 co-ops and condos were eligible for the lien sale with a

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<sup>1</sup> See generally, NYC Administrative Code, Title 11, Chapter 3.

<sup>2</sup> See NYC Administrative Code § 11-332.

<sup>3</sup> See *id.*

<sup>4</sup> See Local Law 26 of 1996, as codified in NYC Administrative Code § 11-319 (a).

<sup>5</sup> See Local Law 98 of 1997 and Local Law 26 of 2001.

<sup>6</sup> See NYC Administrative Code § 11-319(b).

<sup>7</sup> See Local Law 68 of 2007.

<sup>8</sup> See Local Law 15 of 2011.

<sup>9</sup> Booz, Allen, Hamilton, "NYC DEP Bureau of Customer Services (BCS) Best Practices Customer Service Model Design Project Report," Summer 2007.



minimum of three 3 years in arrears on property taxes only. Class 2 rental properties, class 3 utility properties and class 4 commercial and industrial properties were eligible for the lien sale with a minimum of one year in arrears on property taxes.<sup>10</sup> If the properties had other outstanding liens, like water and sewer charges, those liens were included in the lien sale.<sup>11</sup> However, a Lloophole in the law allowed class 1 properties and class 21, 2 co-ops and condos to bypass the lien sale by paying their outstanding property taxes only, even if there were have outstanding water and sewer liens.<sup>12</sup> Though the water lien sale was viewed as a tremendous enforcement tool for delinquent bill payers, DEP's authority to sell water and sewer liens expired on August 31, 2006.<sup>13</sup> Subsequent to the expiration of the Commissioner's authority to sell tax liens, DEP lacked the enforcement power to collect delinquent bills and thus did not have sufficient revenue to operate the Water System.<sup>14</sup>

Subsequently, the Administration and the Council agreed to extend the DOF Commissioner's authority to sell tax liens and authorize the City to conduct stand-alone lien sales of delinquent water and sewer charges on certain residential properties.<sup>15</sup> However, all single-family homeowners in class 1, and certain senior citizens, disabled and low-income homeowners owning two- or three-family properties in class 1 were exempt from the sale of water and sewer liens.<sup>16</sup>

#### **D. LIEN SALES IN 2008, 2009, and 2010<sup>17</sup>**

In 2008, following the enactment of Local 68 of 2007, the Commissioner conducted the first stand-alone water lien sale for residential properties. Unlike earlier sales, in which class 1 properties made up about one-quarter of the total number of liens sold, class 1 properties accounted for nearly 50 % of all liens sold, or 2,041 out of the 4,162 liens sold.

In 2009, 24,196 liens received the 90-day notification of their eligibility to be included in the lien sale. At the time of the final sale, the number of liens had dropped considerably to a total of 4,792 liens, representing 19% of liens originally noticed for sale. Of the 4,792 lien sold, 40% (or 1,919) were water-only liens.

In 2010, the pattern of 2009 repeated. 24,963 liens received the 90-day notification of their eligibility to be included in the lien sale. At the time of the final sale, the number of liens had dropped considerably to a total of 4,736 liens, representing 18.9% of liens originally noticed for sale. Of the 4,736 liens sold, 32.3% (or 1,529) were water-only liens.

The figures above illustrate a few points. These figures first illustrate the primary justification for the lien sale. Since nearly 80% of property owners with liens noticed for sale pay their outstanding charges, most of the money collected in the process of the lien sale comes not from the sale itself, but the settling of accounts by property owners who want to avoid having their lien sold. Additionally, while the legislation decreased the delinquency rate for the non-payment of charges, the lien sale disproportionately affected seniors, as well as low- to moderate-income property owners, since many of the liens sold in the lien sale were concentrated in low- to moderate-income communities throughout Brooklyn and Queens.

#### **E. TAX LIEN SALE REFORM OF 2011**

In response, in 2010 and 2011, the City Council held several hearings regarding the tax lien process.<sup>18</sup> During the hearings, the Council heard testimony from property owners, the Administration, and community-based organizations about possible reasons property owners become eligible for the tax lien sale.<sup>19</sup> The Council learned that individuals who were noticed for sale or had their properties sold found it difficult to pay off their debt because of: 1) the high interest rate associated with the debt; 2) the lack of an affordable payment plans; and 3) a lack of communication between the homeowner and the servicer once the lien was sold.<sup>20</sup> The Council also learned that many individuals who owed thousands of dollars in debt to the City have escaped the lien sale because they did not have a separate property tax lien or separate water lien. Prior to 2011, tax liens from charges owed to the City could not be sold unless such liens also had a real property tax component or water charge component.<sup>21</sup>

In response, the Council passed Local Law 15 of 2011, which made significant changes to the lien sale law.<sup>22</sup> Those changes included:

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<sup>10</sup> See NYC Administrative Code § 11-319(a)

<sup>11</sup> *Id.*

<sup>12</sup> In Local Law 36 of 2001, the loophole was closed for class 4 properties. Loophole closed for class 2 rentals and class 3 properties (utilities). (**I need to check the law lang for loophole closer.**)peT is permi 4

<sup>13</sup> NYC Administrative Code § 11-319(b). The legislation sunset on August 31, 2006.

<sup>14</sup> DEP is responsible for the System's operation, maintenance and improvement. See §1403 of the New York City Charter, NYS Public Authorities Law § 1045-i (2)(vii).

<sup>15</sup> See Local Law 68 of 2007.

<sup>16</sup> The legislation excluded all class 1 owners receiving the Senior Citizen Homeowner Exemption, the Disabled Homeowner Exemption, and the State Personal Income Tax Circuit Breaker; accelerated the sale of property tax liens on certain properties that are deemed abandoned after 18 months in arrears on property taxes, rather than three years; created an ombudsman unit within DEP; and extended the lien sale notification period from 60 days to 90 days.

<sup>17</sup> Information provided by the Office of Management and Budget, on file with the Committee.

<sup>18</sup> See hearings for Local Law 15 of 2011, held by the Committee on May 6, 2010; February 18, 2011, and March 2, 2011. Information available on the website of the New York City Council, available at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=648866&GUID=BD596712-BAC0-48DD-92BE-1B00DB7A8497&Options=Advanced&Search=> (last accessed January 6, 2015).

<sup>19</sup> See *id.*

<sup>20</sup> See *id.*

<sup>21</sup> See *id.*

<sup>22</sup> See Local Law 15 of 2011.

- **Water Threshold:** The threshold to be included in the tax lien sale increased for water and sewer liens to 1 year and \$2,000 for 2- and 3-family homes, from prior threshold of 1 year and \$1,000.

- **Additional newspaper publication to properties noticed for sale:** In addition to the newspaper publication provided during 90 days before the lien sale, the new law required newspaper publication 10 days before lien sale, and required mailed notices 60 and 10 days before sale, in addition to the mailed 90 day and 30 day notices.

- **Additional information in notices, and multilingual communication:** Required all lien sale notifications, and bi-annual statements to include: 1) qualifying exemption information; 2) payment plan availability; 3) ombudsperson contact information; and 4) a lien sale process description. Also required that these notifications and the bi-annual (October and January) statements be translated into multiple languages.

- **Post lien sale notifications:** Required DOF to provide property owner with debt information related to the sold lien (interest rate, lien balance, outstanding fees, etc.) and the contact information for the City ombudsperson, within 90 days of a sold lien.

- **Exemption eligibility checklist:** Requires DOF to mail property owners noticed for sale a checklist of potential exemption availability. If one qualifies, such property owner can apply for a qualifying exemption after the exemption deadline (March 15<sup>th</sup>) has passed.

- **Payment Agreement:** 10-year repayment period. No money down and once entered, property owner will be removed from sale. If property owner defaults on payment agreement, he or she will be banned from entering into another payment agreement for 5 years.

- **Extenuating Circumstances:** In cases where a property owner defaults on a payment agreement, they will be banned from entering into another payment agreement UNLESS extenuating circumstances exist, which include: death or signatory or contributing household member, or loss of income or absence from household of signatory or household member due to loss of employment for at least 6 months, hospitalization for at least 6 months, or court order.

- **Interest rate:** Reduced interest rate from 18% to 9% for properties with an assessed value up to \$250,000. Properties with an assessed value above \$250,000 will be charged with an 18% interest rate.

- **Qualifying Property tax exemption:** Added the veteran's property tax exemption to the list of qualifying eligible property tax exemptions that exclude owners of Class 1 property from the tax lien sale. Active duty military personnel are also exempt.

- **Transparent Bills:** Required a clear itemization of taxes, interest, and fees on lien sale servicer bills

- **Reasonable fees:** Required fees to be reasonable and bona fide and (in the case of legal fees) customary

- **Servicer Information:** Required servicers to include in all communications to property owner:

- availability of forbearance agreement
- explanation of roles of lien servicer and City ombudsperson
- contact information for servicer and City ombudsperson

- **Property Disposition Report:** Within 120 days of lien sale, required DOF and HPD to provide the Council with a description of the disposition of properties that were on the 90 day notice list, and a description of the criteria used to remove properties from the lien sale list at the HPD Commissioner's discretion, respectively.

- **Lien Sale service report:** Require lien sale servicers to provide Council with a list of foreclosures of properties with sold liens.

- **HDFC inclusion in Lien Sale:** Allowed Housing Development Fund Companies rentals to be sold in the lien sale if such properties have been delinquent in debt for 2 years or more and have accrued \$5,000 in debt.

- **Additional Stand Alone liens:** Allowed tax liens for Emergency Repair charges and Alternative Enforcement charges accrued after January 1, 2006, and delinquent for 1 year and \$1,000. Excludes all residential Class 1 *except* non-owner occupied 3-family in the Alternative Enforcement Program ("AEP").

The following charts reflect the current thresholds for inclusion in the lien sale:

Charge Type	Thresholds for inclusion in Lien sale

Real Property Tax Liens	<ul style="list-style-type: none"> <li>• Class 1 and Class 2 coops/condos: 3 years delinquent</li> <li>• All other properties (except HDFCs): 1 year delinquent</li> </ul>
Water & Sewer Liens	<ul style="list-style-type: none"> <li>• 2 &amp; 3-family homes: 1 year delinquent and \$2,000 owed</li> <li>• All Other properties: 1 year delinquent and \$1,000 owed</li> </ul>
Emergency Repair Program (ERP) charges accrued after January 1, 2006 & Alternative Enforcement Program liens	<ul style="list-style-type: none"> <li>• 1 year delinquent and \$1,000 owed for all properties</li> <li>• Excludes all residential Class 1 except non-owner occupied 3-family in AEP</li> </ul>
Housing Development Fund Companies (HDFCs) (All charges)	<ul style="list-style-type: none"> <li>• 2 years delinquent and \$5,000 owed</li> </ul>

Charge Type	Property Type	Qualifying Exemptions
<b>Real Property Tax Liens</b>	Class 1 and Class 2 coops/condos: 3 years  HDFCs: 2 years/\$5,000  All other properties (except HDFCs): 1 year	Applies only to Class 1 properties who receive; -Senior Citizen Homeowner Exemption -Disabled Homeowner Exemption -NYS Circuit Breaker -Veterans Property Tax Exemption, or is Active Duty Military personnel
<b>Water Charges</b>	2 & 3-family homes: 1 year and \$2,000  HDFCs: 2 years/\$5,000  All Other properties: 1 year and \$1,000	Applies only to Class 1 properties who receive; -Senior Citizen Homeowner Exemption -Disabled Homeowner Exemption -NYS Circuit Breaker -Veterans Property Tax Exemption, or is Active Duty Military personnel
<b>ERP and AEP liens</b>	1 year and \$1,000 for all properties  Excludes all residential Class 1 <i>except</i> non-owner occupied 3-family in AEP  HDFCs: 2 years/\$5,000	<b>None</b>

The current law exempts the following properties from the lien sale<sup>23</sup>:

**F. LIEN SALE RESULTS AFTER THE 2011 REFORM<sup>24</sup>**

Despite many of the protections added in 2011, the percentage of property owners who pay their outstanding charges prior to the tax lien sale, but after they are noticed for sale, is consistent with the percentages prior to the reform of the lien sale law in 2011. The following chart illustrates the number of properties with tax liens eligible to be sold 90 days before the tax lien sale and the number of properties with liens actually sold in the tax lien sale:

Lien Sale year	Properties Noticed for Sale	Properties in Lien Sale
2012	22,111	4,093
2013	27,930	5,420
2014	25,556	5,347

As demonstrated above, approximately 20% of properties with tax liens eligible to be sold 90 days before the tax lien sale have tax liens that are ultimately sold in the tax lien sale.

Since the Lien Sale law was reformed in 2011, the Administration has informed the Council that that:

- Property owners who enter into payment agreements have a 38% default rate;
- 15 properties have been foreclosed upon after being sold in the lien sale;
- 21 HDFC properties had liens sold; and

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<sup>23</sup> See *id.*

<sup>24</sup> Information provided by the Office of Management and Budget. On file with the Committee.

- Not-for-profit organizations with tax liens that failed to renew their property exemptions received notifications of inclusion the lien sale.

Since the reforms to the lien sale in 2011, the Council has met with property owners, the Administration, and community-based organizations about possible reasons why property owners continue to accrue tax liens in an amount that are eligible to be sold in the tax sale, despite the many protections added by the Council.

The Council learned that:

- Many property owners were affected by SuperStorm Sandy chose to address the immediate need of property repairs, rather than spend their funds paying charges owned to the City, such as property taxes, ad water charges;

- Many not-for-profit organizations failed to renew their not-for-profit exemptions despite a 2011 administrative change by the Department of Finance that now required all not for profit organizations to annually renew their property tax exemption eligibility status;

- Many property owners who defaulted on payment agreements were unaware that extenuating circumstances existed to prevent the imposition of the 5-year ban on future payment agreements upon payment;

- Many property owners were unaware that payment agreements issued by DOF required no money down and could be paid for a term of 10 years; and

- The bill provided by lien sale servicers to property owners after the lien is sold is difficult to understand, and does not clearly identify charges owed.

**G. PROPOSED INT. 612-A**

On January 8, 2015, the Committee considered Int. 612, a Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens. Representatives from the Department of Finance, the Department of Housing Preservation and Development, the Department of Environmental Protection, and members of the public testified. Subsequent to the hearing, minor technical amendments were made to the legislation.

To ensure that the tax lien sale is fair, efficient, and effective, Proposed Int. 612-A would do the following:

**Section 1:** Extends DOF Commissioner authority to sell tax liens

- 2 year extender. Authority ends on December 31, 2016.

**Section 2:** Properties tagged red and yellow by the Department of Buildings to indicate severity of damage due to SuperSorm Sandy, and Build It Back properties excluded from the lien sale. If erroneously sold, lien will be substituted for a equal value lien, or will be refunded the value of the lien.

**Section 3: HDFC information**

Clean up existing provisions in ad code relating to HDFCs. Removed language specifying HDFC sold in lien shall be deemed defective, rather simply prohibits their inclusion and provides that if erroneously sold, lien will be substituted for an equal value lien, or will be refunded the value of the lien.

**Section 4: Not for profit information:**

- Not for profits who received a 420-a, b, 446, and 452 property tax exemption in one of the last 3 fiscal years shall receive the following information in the 90, 60, 30, and 10 day notice
  - Initial and renewal application process
  - Actions property owner can take when noticed for the lien sale, including adjustment or cancellation of back taxes.
  - Information can be translated upon request(Russian, Chinese, Korean, or Spanish)

**Section 5: Quarterly Lien Servicer Property Status report and outreach sessions**

Subdivision I: Property Status Report by Lien Sale servicer

Report to Council detailing status of tax lien, including: Foreclosure information; if property entered into a payment agreement; and if lien was deemed defective, and reasons for such determination.

For each property referenced in the report, the following property details must be provided:

- Property tax class
- Description of tax liens
- Amount of lien
- Cost of advertisements and notices
- Amount of surcharge, penalties and interest

Subdivision J: DOF, HPD, and DEP Outreach Sessions

- Allows CMs to request outreach sessions with HPD, DEP, and DOF. Session will be provided at agency discretion
- Scope of session
  - What property owners can do if lien is sold
  - Type of debt that can be sold
  - Informing attendees of their right to enter into such agreement with no money down for a term of 10 years
  - Credits and property and property tax exemption available
- Subdivision J: Report on Outreach Session provided no later than 90 days after lien sale, detailing:
  - Number of outreach sessions performed
  - Number of payment agreements begun
  - Number of property tax applications begun
  - Number of attendees in each session.

The report and the results of the outreach session shall be disaggregated by Council district.

**Section 6: Extenuating circumstances language on payment agreement form no later than March 1, 2015**

- Language on form will inform property owner (or other eligible person) that if he or she defaults on a payment agreement, then such owner will be prevented from entering into another payment agreement for 5 years UNLESS extenuating circumstances exist (payment plan will have definition of payment agreement). Extenuating circumstances include: Loss of income of signatory or contributing household member due to:
  - death,
  - away from home more than 6 months
  - Hospital more than 6 months; or
  - Court order

**Section 7: Temporary Task Force.**

- Members:
  - 10 Members: 5 Admin (Mayor, OMB, DOF, HPD, and DEP); 5 Council
  - Appointments no later than 60 days after enactment of local law
  - Task Force Tenure: Until report is issued or DOF authority is reauthorized
  - Administrative staff: Admin
  - The Chair of the Task Force will be selected by the Members.
- Goal: Ensure that the tax lien sale process is fair, efficient and effective.
- Scope:
  - Consideration of administrative and legislative changes that would:
    - Minimize non-payment of charges that are subject to the lien sale, including increasing awareness of, and participation in, tax benefit programs;
    - Maximize the collection of debt owed to the City;
    - Redefine the type of debt that is eligible for the lien sale; and
    - Any other matter that the task force deems relevant to the fair, efficient, and effective implementation of the tax lien sale process.
- Meeting Frequency
  - At least quarterly, beginning September 1, 2015
- Task Force Report to Mayor and Council
  - Due: September 1, 2016
  - Content:
    - Recommendations on administrative and legislative changes to improve fairness, transparency, efficiency, and effectiveness of the lien sale process, and finding and factors to supports such recommendation;
    - Evaluation of payment agreements
    - Impact of the tax lien sale process on affordable housing; and
    - Any other information deemed necessary by the task force.

**Section 8: Effective Date**

- Immediately, retroactive to January 1, 2015

It is important to note that while not in the legislation, the Administration has committed to provide DEP customers with the option of monthly billing before July 1, 2015.

Glossary

	Definition
<b>AEP</b> Alternative Enforcement Program	HPD Program for multi-family buildings with excessive and hazardous building violations. The top 200 multi-family buildings with the most excessive and hazardous building violations are designated for the AEP program. Once

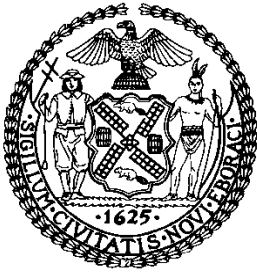
	designated, each building has 4 months to rectify all conditions, or incur additional fees.
<b>Circuit Breaker</b>	This New York State Personal Income Tax program provides a refundable tax credit Circuit Breaker program to homeowners and renters with incomes below \$18,000 per year and have home assessed values less than \$80,000. The amount of the tax credit available will depend on the amount of property taxes paid by homeowners, or the size of adjusted monthly rent payments paid by renters. A renter's "adjusted monthly rent" must be \$450 or less.
<b>DHE Disabled Homeowner Exemption</b>	This Department of Finance program provides a partial property tax exemption for disabled individuals who own and primarily reside in a one, two, or three family homes, condominiums, or cooperative apartments and have a household income of \$37,399 per year or less.
<b>ERP</b> Emergency Repair Program	HPD performs emergency repairs in privately owned residential buildings in order to address immediately hazardous Class C violations (e.g. inadequate fire exits, rodents, lead-based paint, and lack of heat, hot water, electricity, or gas) that are not corrected by the property owner with 24 hours. Once the City makes the repairs, the City bills the property owner.
<b>Extenuating Circumstances</b>	A property owner who defaults (delinquent for 6 months) on a payment plan is barred from entering future payment plan for 5 years, unless default is cured before lien sale, or extenuating circumstances exist, defined as: <ul style="list-style-type: none"> <li>(1) the death of the signatory to the agreement</li> <li>(2) a loss of income to the signatory, or to a contributing household member due to:                             <ul style="list-style-type: none"> <li>• unemployment for at least 6 months; or</li> <li>• involuntary absence from the property for at least 6 months for 1) treatment of an illness; 2) for military service, or 3) pursuant to a court order.</li> </ul> </li> </ul>
<b>HDFC</b> Housing Development Fund Company	An HDFC is a corporation formed under the State Private housing law to build low-income housing. Each HDFC has a regulatory agreement with HPD, and is individually chartered by HPD or the State Department of Housing and Community Renewal (DHCR).
<b>SCHE Senior Citizen Homeowner Exemption</b>	This Department of Finance program provides a partial property tax exemption for senior citizens who own and primarily reside in a one, two, or three family homes, condominiums, or cooperative apartments and have a household income of \$37,399 per year or less.
<b>Tax Lien</b>	Legal claim against real property for unpaid property taxes, water, sewer or other property charges, as well as the interest due on these taxes and charges
<b>Tax Lien Sale</b>	When outstanding amounts have been delinquent for a legally specified period of time, and the City has mailed notice to the property owner, the City of New York is allowed to sell the lien(s) to an authorized third party who has the authority to collect the money that was previously owed to the City, plus other fees and interest.
<b>Veteran's Exemption</b>	This Department of Finance program provides a property tax exemption to veterans, the spouse or unmarried widow/widower of a veteran, or Gold Star parent (the parent of a child who died in the line of duty). Veterans are former members of the United States armed forces or the Merchant Marines (during World War II) or recipients of expeditionary medals.  **Class 1 property of active duty personnel are also exempt from the lien sale.

**H. JANUARY 21, 2015 HEARING**

On January 21, 2015 the Committee on Finance will vote on Proposed Intro. 612-A. Upon successful vote by the Committee, Proposed Intro. 612-A will be submitted to the full Council for a vote on January 22, 2015.



(The following is the text of the Fiscal Impact Statement for Int. No. 612-A:)



THE COUNCIL OF THE CITY OF NEW YORK  
FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 612-A

COMMITTEE: Finance

**TITLE:** To amend the administrative code of the city of New York, in relation to the sale of tax liens.  
**SPONSORS:** COUNCIL MEMBERS FERRERAS, MENCHACA, TORRES, WILLIAMS, GENTILE AND ROSE

**SUMMARY OF LEGISLATION:** This legislation would reauthorize the Commissioner of Finance’s ability to sell real property tax liens, stand-alone water liens, and other stand-alone municipal charges. Also included in the legislation are not-for profit and homeowner protections, and the creation of a temporary task force to ensure the tax lien sale process is fair, efficient and effective.

**Current Law**

Currently, owners of Class One homes (1-, 2- and 3-family homes) and owners of Class Two co-ops and condos must be three years in arrears on property taxes to be included in property tax lien sales. Owners of Class One 2- and 3-family homes must be at least one year in arrears and owe \$2,000 or more to be included in water and sewer-only lien sales. All other properties, including owners of Class Two co-ops and condos must be at least one year in arrears and owe \$1,000 or more to be included in water and sewer-only lien sales. In addition, properties with liens placed by the Department of Housing Preservation and Development (HPD) for Emergency Repair (ERP) charges accrued after January 1, 2006 and Alternative Enforcement Program (AEP) charges must be at least one year in arrears and owe \$1,000 or more to be included in the lien sale. Housing Development Fund Companies (HDFCs) that are rentals can currently be included in the lien sale if they are at least two years in arrears and owe \$5,000. Owners who are currently exempt from the lien sale due to delinquent property taxes include: Class One residential property owners receiving a qualifying exemption, including a Senior Citizens Homeowner Exemption, a Disabled Homeowner Exemption, a New York State Circuit Breaker, or a Veterans Property Tax Exemption. Owners who are currently exempt from the lien sale due to delinquent water and sewer charges include: Class One residential property owners receiving a qualifying exemption. Certain properties damaged by SuperStorm Sandy and properties in the Build It Back program are exempt from the lien sale.

**Proposed Legislation**

This legislation would maintain the current provisions for real property tax liens and extend the authority of the Commissioner of the Department of Finance (DOF) to sell tax liens until December 31, 2016.

**HDFCs**

This legislation would remove language specifying that HDFCs sold in the lien sale shall be deemed “defective.” Instead, their initial inclusion in the lien sale would be prohibited. If erroneously sold, the lien would be substituted for an equal value lien, or the purchaser of the lien would be refunded the value of the lien.

**Sandy Damaged Properties**

Properties tagged red and yellow by the Department of Buildings to indicate severity of damage due to SuperStorm Sandy and properties in the Build It Back program would be excluded from the lien sale. If erroneously sold, the lien would be substituted for an equal value lien, or the purchaser of the lien would be refunded the value of the lien.

**Not-For-Profit Notification Provisions**

The legislation would require the provision of information relating to property tax exemption application and renewal to not-for-profit organizations noticed for the lien sale that had received a property tax exemption in one of the three prior fiscal years. Such notice shall also include information on other actions that can be taken when noticed for the lien sale, including adjustment or cancellation of back taxes. Statements and notices must be provided in Chinese, Korean, Russian, or Spanish if requested by owner.

**Lien Servicer Reporting**

This legislation would require that lien sale servicers provide Property Status reports to the Council detailing the status of tax liens. Such reports would include: foreclosure information; if the property entered into a payment agreement; if the lien was deemed defective; and the reasons for such determinations.

**Outreach Sessions**

The legislation would codify the current practice to allow Council Members to request outreach sessions with HPD, the Department of Environmental Protection (DEP), and DOF in their respective Council districts. In addition, a report on outreach sessions would be provided by DOF to the Council, no later than 90 days after the lien sale. The report

would detail the number of outreach sessions performed, the number of payment agreements begun, the number of property tax applications begun, and the number of attendees at each session.

**Extenuating Circumstances**

The legislation would require language to be included on the payment agreement form to make clear to the property owner (or other eligible person) that if the payment plan is defaulted on, that he/she would be prevented from entering into another payment agreement for five years unless extenuating circumstances exist. Extenuating circumstances would be defined on the form.

**Temporary Task Force**

This legislation would require the creation of a ten-member temporary task force to meet at least quarterly. The task force will consist of the Commissioners of DOF, HPD, and DEP, or their appointees; the Director of the Mayor’s Office of Management and Budget, or his/her appointee; an appointee of the Mayor; and five members appointed by the Speaker of the City Council. The task force will formulate and submit a report the Mayor and Council that outlines recommendations on changes to improve fairness, transparency, efficiency, and effectiveness of the lien sale process.

**Expiration**

The bill expires December 31, 2016.

**EFFECTIVE DATE:** The legislation would take effect immediately, retroactive to January 1, 2015.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

**FISCAL IMPACT STATEMENT:**

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

**IMPACT ON REVENUES & EXPENDITURES:**

The City’s financial plan already assumes the anticipated revenues and expenses associated with the lien sale under the framework authorized under the recently expired law. It is not anticipated that the proposed legislation would have an additional impact on the City’s revenues or expenditures because it in large part codifies existing practices, and introduces several new reporting and notification requirements which compliance will be accomplished utilizing existing resources.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** N/A

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Office of Management and Budget

**ESTIMATE PREPARED BY:** Sarah Gastelum, Legislative Financial Analyst  
Kate Seely-Kirk, Principal Legislative Financial Analyst  
Emre Edev, Principal Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Assistant Counsel, New York City Council Finance Division  
Tanisha Edwards, Chief Counsel, New York City Council Finance Division  
Ray Majewski, Chief Economist, Deputy Director, New York City Council Finance Division

**HISTORY:** Intro. No. 612 was introduced by the Council and referred to the Committee on Finance on January 7, 2015. On January 8, 2015, the Committee considered Intro. No. 612 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 612-A, will be voted on by the Committee January 21, 2015. Upon successful vote by the Committee, Proposed Intro. No. 612-A will be voted on by the full Council on January 22, 2015.

**DATE PREPARED:** January 20, 2015

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 612-A:)**

Int. No. 612-A

By Council Members Ferreras, Menchaca, Torres, Williams, Gentile, Rose and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.**

*Be it enacted by the Council as follows:*

Section 1. The opening paragraph of subdivision b of section 11-319 of the administrative code of the city of New York, as amended by local law number 15 for the year 2011, is amended to read as follows:

The commissioner of finance, on behalf of the city, may sell tax liens, either individually, in combinations, or in the aggregate, pursuant to the procedures provided herein. The commissioner of finance shall establish the terms and conditions of a sale of a tax lien or tax liens. [Enactment of the local law that added this sentence shall be deemed to constitute authorization by the council for the commissioner of finance to conduct a sale or sales of tax liens through and including December thirty-first, two thousand fourteen. Subsequent to December thirty-first, two thousand fourteen, the city shall not have the authority to sell tax liens.] *Enactment of the local law that added this sentence shall be deemed to constitute authorization by the council for the commissioner of finance to conduct a sale or sales of tax liens through and including December thirty-first, two thousand sixteen. Subsequent to December thirty-first, two thousand sixteen, the city shall not have the authority to sell tax liens.*

§ 2. Subdivision b of section 11-319 of the administrative code of the city of New York is amended by adding a new paragraph 12 to read as follows:

12. *On or after January first, two thousand fifteen and before January first, two thousand seventeen, no tax lien shall be sold pursuant to this chapter on the following properties: (i) properties enrolled in the city's Build It Back Program; and (ii) properties defined as "eligible real property" pursuant to subdivision three of section four hundred sixty-seven-g of the real property tax law. If, notwithstanding the foregoing sentence, any such tax lien is sold in error pursuant to this chapter during such time period on properties described in subparagraph (i) or (ii) of this paragraph, then the provisions of paragraph eight of this subdivision shall apply to such sale, including the authority of the commissioner of finance to substitute for such tax lien another tax lien that has a value equivalent to the value of such tax lien or to refund the value of such lien.*

§ 3. Subparagraph (i) of paragraph 10 of subdivision b of section 11-319 of the administrative code of the city of New York, as amended by local law number 15 for the year 2011, is amended to read as follows:

(i) [Before January first, two thousand twelve, any tax lien or tax liens that are sold pursuant to this chapter on property owned by a company organized pursuant to article XI of the state private housing finance law shall be deemed defective.] On and after January first, two thousand twelve, [any] *no tax lien [or tax liens that are] shall be sold pursuant to this chapter on any class two residential property owned by a company organized pursuant to article XI of the state private housing finance law that is a residential condominium or residential cooperative[, shall be deemed defective]. If, notwithstanding the foregoing sentence, any such tax lien is sold in error pursuant to this chapter on and after January first, two thousand twelve on such property, then the provisions of paragraph eight of this subdivision shall apply to such sale, including the authority of the commissioner of finance to substitute for such tax lien another tax lien that has a value equivalent to the value of such tax lien or to refund the value of such tax lien.* For the purposes of this paragraph, property owned by such company shall be limited to property owned for the purpose, as set forth in section five hundred seventy-one of the state private housing finance law, of providing housing for families and persons of low income.

§ 4. Subdivision b section 11-320 of the administrative code of the city of New York is amended by adding a new paragraph 4 to read as follows:

4. *Such notice shall also include, with respect to a property that was in receipt of a real property tax exemption pursuant to section four hundred twenty-a, four hundred twenty-b, four hundred forty-six, or four hundred sixty-two of the real property tax law in one or more of the three fiscal years preceding the date of the notice provided not less than ninety days prior to the date of sale, information relating to the initial application and renewal process for such property tax exemptions, and other actions available to the owner of such property in the event such property is noticed for sale pursuant to this subdivision, including, if available, an adjustment or cancellation of back taxes. Upon the written request of the owner of such property, a Chinese, Korean, Russian or Spanish translation of such notice shall be provided to such owner.*

§ 5. Section 11-320 of the administrative code of the city of New York is amended by adding new subdivisions i and j to read as follows:

i. *On a quarterly basis, a purchaser of tax liens shall provide to the council a property status report. For each property, such report shall include: (1) information about such property, including property tax class; property type; description of the tax lien or tax liens that have been sold to such purchaser on such property pursuant to this chapter, including the amount of the tax lien or tax liens, the costs of any advertisements and notices given pursuant to this chapter; the amount of the surcharge pursuant to section 11-332 of this chapter; and the amount of interest and penalties thereon; and (2) the status of the tax lien or tax liens, including foreclosure information, if applicable; whether the property owner entered into an installment agreement; whether the property owner is current on such installment agreement; and whether the tax lien or tax liens on such property have been deemed defective,*

*and, if so, the reason any such lien was deemed defective. Each property listed in the report shall be identified by block and lot.*

j. *At the request of a council member, the commissioner of finance, in consultation with the commissioner of housing preservation and development and the commissioner of environmental protection, may conduct outreach sessions in the district of such council member. The scope of such outreach sessions shall include, but need not be limited to, (i) actions property owners can take if a lien is sold on such property; (ii) the type of tax lien or tax liens that can be sold in a tax lien sale; (iii) installment agreement information, including informing attendees in such outreach sessions of their option to enter into an installment agreement for exclusion from the tax lien sale with no down payment, and their option to enter such agreement for a term not more than ten years; (iv) credits and property tax exemptions that may exclude a property from a tax lien sale; and (v) any other credit or residential real property tax exemption information, which, in the discretion of the commissioner, should be included in such outreach sessions. No later than ninety days after the tax lien sale, the commissioner of finance*

*shall submit to the council a report on the number of outreach sessions performed in each council district during the ninety-day period preceding the tax lien sale. Such report shall include: (i) the number of installment agreements begun by property owners or, as defined in subdivision b of section 11-322 of this chapter, other eligible persons, acting on behalf of property owners at each outreach session; (ii) the number of property tax exemption applications begun at each outreach session; and (iii) the total number of attendees at each outreach session. Such report and the results of each outreach session shall be disaggregated by council district.*

§ 6. Subdivision b of section 11-322 of the administrative code of the city of New York is amended by adding a new paragraph 5 to read as follows:

5. *All installment agreements executed on or after March first, two thousand fifteen shall include a conspicuous statement that if payments required from a property owner pursuant to such an agreement are not made for a period of six months, such property owner shall be in default of such agreement, and the tax lien or tax liens on the subject property may be sold, provided, however, that such default may be cured upon such property owner's bringing all installment payments and all current charges that are outstanding at the time of the default to a current status, which shall include, but not be limited to, any outstanding interest and fees, prior to the date of sale. Such statement shall also include a notification that if such default is not cured prior to the date of sale, such property owner shall not be eligible to enter into an installment agreement for the subject property for five years, unless there is a finding of extenuating circumstances in accordance with rules promulgated by the department that entered into the installment agreement with the property owner. Such statement shall include the definition of extenuating circumstances.*

§ 7. Chapter 3 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-356 to read as follows:

§ 11-356 *Temporary taskforce. a. The mayor and council shall establish a temporary task force to review and evaluate the provisions of this chapter, any actions taken pursuant to the provisions of this chapter, and such other matters as the task force deems appropriate, to ensure that the tax lien sale process is fair, efficient and effective.*

b. *The task force shall consist of ten members, as follows: the commissioner of environmental protection or his or her designee, the director of management and budget or his or her designee, the commissioner of housing preservation and development or his or her designee, the commissioner of finance or his or her designee, one member appointed by the mayor and five council members appointed by the speaker of the council. Any council member appointed by the speaker of the council may name a designee, provided that such designee shall be an employee of the council. Members shall serve without compensation. The members of the task force shall be appointed within sixty days of the effective date of the local law that added this section. The chairperson shall be elected from among the members. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term. The director of management and budget, and the commissioners of finance, environmental protection, and housing preservation and development may provide staff to assist the task force in the execution of its duties pursuant to this section. Members of the task force shall serve until the opening paragraph of subdivision b of section 11-319 of this chapter authorizes the commissioner of finance to conduct a sale or sales of tax liens after December thirty-first, two thousand sixteen, or the task force submits a report to the mayor and the council pursuant to subdivision d of this section, whichever is sooner, after which time such temporary task force shall cease to exist.*

c. *No later than September first, two thousand fifteen, the task force shall hold its initial meeting and thereafter shall meet at least quarterly to review and evaluate the provisions of this chapter, any actions taken pursuant to the provisions of this chapter, and such other matters as the task force deems appropriate, to ensure that the tax lien sale process is fair, efficient and effective. The task force shall consider: (i) actions, including recommendations for administrative or legislative changes, that could minimize the nonpayment of taxes, assessments, sewer rents, sewer surcharges, water rents and any other charges that are made a lien subject to the provisions of this chapter, including, but not limited to, increasing awareness of and participation in tax benefit programs, (ii) actions, including recommendations for administrative or legislative changes, that could maximize the collection of any debt owed to the city, whether or not any such debt is currently a "tax lien" as defined in section 11-301 of this chapter, and (iii) any other matter that the task force deems relevant to the fair, efficient and effective implementation of the tax lien sale process.*

d. *No later than September first, two thousand sixteen, the task force shall submit a report to the mayor and the speaker of the council. Such report shall*

include, but need not be limited to: (i) recommendations for administrative or legislative changes that may improve the fairness, efficiency and effectiveness of the tax lien sale process; (ii) any findings or facts that support such recommendations, (iii) evaluation of installment agreements and consideration of prospective changes to the terms of installment agreements; (iv) the impact of the tax lien sale process on affordable housing; and (v) any additional information deemed relevant by the task force.

§ 8. This local law shall take effect immediately and shall be retroactive to and deemed to have been in full force and effect as of January 1, 2015.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, January 21, 2015.

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. 545

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

The Committee on Finance to which the annexed preconsidered resolution was referred on January 22, 2015, respectfully

**REPORTS:**

Introduction. The Council of the City of New York (the "Council") annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the "Fiscal 2015 Expense Budget"). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the "Fiscal 2014 Expense Budget"). On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"). On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget").

Analysis. This Resolution, dated January 21, 2015, approves new designations and changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and approves changes in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, and approves changes in the designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2013 Expense Budget, and approves changes in the designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2012 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, and local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2014 Expense Budget, funding for certain initiatives in accordance with the Fiscal 2013 Expense Budget, as well as funding for certain initiatives in accordance with the Fiscal 2012 Expense Budget.

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the changes in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 3-12; sets forth a change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 13; sets forth the changes in the designation of certain organizations receiving funding pursuant to certain initiatives in the Fiscal 2014 Expense Budget, as described in Charts 14-15; sets for the changes

in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2013 Expense Budget, as described in Chart 16; sets for the changes in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2012 Expense Budget, as described in Chart 17; sets for the changes in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2013 Expense Budget, as described in Chart 18; sets for the changes in the designation of a certain organization receiving funding pursuant to a certain initiative in the Fiscal 2012 Expense Budget, as described in Chart 19; amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2015 Expense Budget, as described in Chart 20; and amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as described in Chart 21.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, Adjustments Summary/Schedule C/Fiscal 2014 Expense Budget, dated June 27, 2013, Adjustments Summary/Schedule C/Fiscal 2013 Expense Budget, dated June 28, 2012, and Adjustments Summary/Schedule C/Fiscal 2012 Expense Budget, dated June 29, 2011.

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

Chart 2 sets forth the change in the designation, specifically the addition of a fiscal conduit, of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 3 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget.

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

Chart 5 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 6 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Create New Technology Incubators Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 8 sets forth the change in the designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget. The change will be effectuated upon a budget modification.

Chart 9 sets forth the new designation of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget. The designation will be effectuated upon a budget modification.

Chart 10 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 12 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2015 Expense Budget.

Chart 13 sets forth the changes in the designation of a certain organization, specifically a name change and an EIN change, receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 14 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 15 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2014 Expense Budget.

Chart 16 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 17 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the Food Pantries – DYCD Initiative in accordance with the Fiscal 2012 Expense Budget.

Chart 18 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2013 Expense Budget.

Chart 19 sets forth the change in the designation of a certain organization, specifically an EIN change, receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2012 Expense Budget.

Chart 20 amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget.

Chart 21 amends the description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (\*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2012, Fiscal 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 545

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

By Council Members Ferreras and Kallos.

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

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

**Whereas**, On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the "Fiscal 2013 Expense Budget"); and

**Whereas**, On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the "Fiscal 2012 Expense Budget"); and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving

local and aging discretionary funding and funding pursuant to certain initiatives; now therefore be it

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

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

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

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

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

**Resolved**, That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

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

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the changes in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 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 HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2014 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 DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries - DYCD Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 17; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 18; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 19; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 20; and be it further





CHART 6: Cultural After-School Adventure (CASA) Initiative - Fiscal 2015

Member	ENR Number	Agency	Amount	Asy #	UJA
Constituents	11-3881(026)	DCLA	\$20,000.00	126	003
Constituents	11-3881(029)	DCLA	\$20,000.00	126	003
Constituents	11-3881(028)	DCLA	\$20,000.00	126	003

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

CHART 5: Adult Literacy Initiative - Fiscal 2015

Member	ENR Number	Agency	Amount	Asy #	UJA
Brown Designation	13-3852(107)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(108)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(109)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(110)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(111)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(112)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(113)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(114)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(115)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(116)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(117)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(118)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(119)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(120)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(121)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(122)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(123)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(124)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(125)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(126)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(127)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(128)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(129)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(130)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(131)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(132)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(133)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(134)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(135)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(136)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(137)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(138)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(139)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(140)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(141)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(142)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(143)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(144)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(145)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(146)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(147)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(148)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(149)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(150)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(151)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(152)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(153)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(154)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(155)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(156)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(157)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(158)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(159)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(160)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(161)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(162)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(163)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(164)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(165)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(166)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(167)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(168)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(169)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(170)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(171)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(172)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(173)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(174)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(175)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(176)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(177)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(178)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(179)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(180)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(181)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(182)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(183)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(184)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(185)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(186)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(187)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(188)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(189)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(190)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(191)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(192)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(193)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(194)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(195)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(196)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(197)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(198)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(199)	DVCD	\$50,000.00	280	005
Brown Designation	13-3852(200)	DVCD	\$50,000.00	280	005

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

CHART 8: Discretionary Child Care Initiative - Fiscal 2015

Member	ENR Number	Agency	Amount	Asy #	UJA
St. Albans Montessori Academy of Learning	46-1560650	ACS	\$215,000.00	068	004
Administration for Children's Services	13-6400434	ACS	\$115,000.00	068	004

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

CHART 7: Create New Technology Incubators Initiative - Fiscal 2015

Member	ENR Number	Agency	Amount	Asy #	UJA
CUNY University of New York	13-6400434	CUNY	\$500,000.00	042	001
Lehman College	13-6400434	CUNY	\$500,000.00	042	001
Queens College	13-6400434	CUNY	\$500,000.00	042	001

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

CHART 9: Sports Training and Rolemodels for Success (STARS) Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agcy #	U/A *
Armory Foundation, The **	13-5960286	DYCD	\$100,000.00	260	312

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

CHART 10: Early Childhood Literacy Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agcy #	U/A *
Parent Child Home Program (PCHP)	11-2495601	DYCD	(\$141,000.00)	260	005
Brookway Housing Communities, Inc.	13-3212667	DYCD	\$47,000.00	260	005
Child Center of New York, Inc. The	11-1733454	DYCD	\$47,000.00	260	005
Lutheran Family Health Center's Family Support Center	11-1839567	DYCD	\$47,000.00	260	005

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

CHART 11: Autism Awareness Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agcy #	U/A *
Lifespan, Inc.	13-2525222	DCHMH	(\$7,605.30)	616	121
Samuel Field YM & YWHA, Inc.	11-3071518	DCHMH	\$7,605.30	616	121
Labor and Industry for Education, Inc.	11-4086055	DCHMH	(\$27,667.40)	616	121
OHEL Children's Home and Family Services, Inc.	11-6078704	DCHMH	\$27,667.40	616	121

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

CHART 12: Coalition of Theaters of Color - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agcy #	U/A *
Department of Cultural Affairs	13-6404544	DCLA	(\$1,000,000.00)	126	003
LaMico Theater, Inc.	77-0608611	DCLA	\$14,000.00	126	003
Caribbean American Repertory Theatre, Inc.	11-2972441	DCLA	\$14,000.00	126	003
Second Generation Productions, Inc.	13-3929641	DCLA	\$14,000.00	126	003
Educational Theater of New York, Inc.	13-4148861	DCLA	\$14,000.00	126	003
ID Studio Theater Performance and Research Center, Inc.	71-0991159	DCLA	\$14,000.00	126	003
Rising Circle Theater Collective, Inc.	20-1407519	DCLA	\$14,000.00	126	003
Creative Ammo, Inc.	13-4181617	DCLA	\$14,000.00	126	003
National Asian American Theatre Company, Inc.	13-3486145	DCLA	\$14,000.00	126	003
Take Wing and Soar Productions, Inc.	13-3686610	DCLA	\$14,000.00	126	003
Yangtze Repertory Theatre of America, Inc.	11-3427470	DCLA	\$14,000.00	126	003
Nia Theatrical Production Company, Inc.	13-3611138	DCLA	\$8,200.00	126	003
Harlem Artist Development League Especially for You - H.A.D.L.E.Y. Players	13-3111659	DCLA	\$9,000.00	126	003
Instituto Arte Teatral Internacional, Inc.	20-0462372	DCLA	\$9,000.00	126	003
Vibe Theater Experience	11-2393789	DCLA	\$9,000.00	126	003
Chinese Theater Works, Inc.	13-6271694	DCLA	\$8,200.00	126	003
Negro Ensemble Company, Inc.	13-3655585	DCLA	\$9,000.00	126	003
Theatre Circulo, Ltd.	11-2336154	DCLA	\$8,200.00	126	003
Billie Holiday Theatre, Inc.	13-3515233	DCLA	\$9,000.00	126	003
American Indian Artists (AMERINDIA), Inc.	13-4046789	DCLA	\$9,000.00	126	003
Classical Theatre of Harlem, Inc., The	13-2894709	DCLA	\$9,000.00	126	003
New Federal Theatre, Inc.	13-2614763	DCLA	\$9,000.00	126	003
Pan Asian Repertory Theatre, Inc.	23-7272692	DCLA	\$8,200.00	126	003
International Arts Relations, Inc.	13-3765140	DCLA	\$9,000.00	126	003
Point Community Development Corporation, The	13-3676332	DCLA	\$9,000.00	126	003
Ma-Yi Fligino Theatre Ensemble, Inc.	13-2632596	DCLA	\$8,200.00	126	003
National Black Theatre Workshop, Inc.	22-7466111	DCLA	\$8,200.00	126	003
Thalia Spanish Theatre, Inc.	13-2633678	DCLA	\$8,200.00	126	003
New Heritage Theatre Group, Inc.	13-2633678	DCLA	\$8,200.00	126	003
Society of the Educational Arts, Inc. (SEA)	13-2633678	DCLA	\$8,200.00	126	003
Harlem Repertory Theatre, Inc.	13-2633678	DCLA	\$8,200.00	126	003
Art Museum Theatre, Inc.	23-7072726	DCLA	\$9,000.00	126	003
ET Theatre Company, Inc.	13-2974663	DCLA	\$9,000.00	126	003

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

CHART 13: Local Discretionary - Fiscal 2014

Member	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Contribution	Organization	Fiscal Control	EIN
James A. Beard Resident Association	11-335885	NYCHA	(\$1,000.00)	088	002				
James A. Beard Resident Association	13-640044	NYCHA	\$6,000.00	088	002				

\* Indicates pending completion of pre-qualification review.

CHART 12: Coalition of Theaters of Color - Fiscal 2015 (Continued)

Member	EIN Number	Agency	Amount	Agy #	U/A
Black Spectrum Theatre Company, Inc.	51-015282	DCIA	\$35,200.00	128	003
Eugene Maria De Hoste Community College Foundation	13-3118643	DCIA	\$29,000.00	128	003
Labyrinth, Inc.	13-385592	DCIA	\$29,000.00	128	003
Our Pilgrims' Children's Foundation	94-2084625	DCIA	\$29,000.00	128	003
People's Theatre Project	26-476999	DCIA	\$29,000.00	128	003

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

CHART 15: HIV/AIDS Faith Based Initiative - Fiscal 2014

Member	EIN Number	Agency	Amount	Agy #	U/A
Convent Avenue Baptist Church	13-2780116	DCHMH	(\$4,400.00)	816	112
Convent Avenue Baptist Church	13-1789584	DCHMH	\$6,400.00	816	112

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

CHART 14: DYCD Food Pantries Initiative - Fiscal 2014

Member	EIN Number	Agency	Amount	Agy #	U/A
Mannatan	13-2780116	DYCD	(\$5,778.00)	260	005
Mannatan	13-1789584	DYCD	\$5,778.00	260	005

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

CHART 17: Food Pantries-DYCD Initiative - Fiscal 2012

Member	Organization	EIN Number	Agency	Amount	Aggr #	U/A
Manhattan	Convent Avenue Baptist Church	13-2780116	DYCD	(\$5,778.00)	280	005
Manhattan	Convent Avenue Baptist Church	13-1769584	DYCD	\$5,778.00	280	005

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

CHART 16: DYCD Food Pantries Initiative - Fiscal 2013

Member	Organization	EIN Number	Agency	Amount	Aggr #	U/A
Manhattan	Convent Avenue Baptist Church	13-2780116	DYCD	(\$5,778.00)	280	005
Manhattan	Convent Avenue Baptist Church	13-1769584	DYCD	\$5,778.00	280	005

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

CHART 19: HIV/AIDS Faith Based Initiative - Fiscal 2012

Organization	EIN Number	Agency	Amount	Aggr #	U/A
Convent Avenue Baptist Church	13-2780116	DOHMH	(\$6,400.00)	816	112
Convent Avenue Baptist Church	13-1769584	DOHMH	\$6,400.00	816	112

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

CHART 18: HIV/AIDS Faith Based Initiative - Fiscal 2013

Organization	EIN Number	Agency	Amount	Aggr #	U/A
Convent Avenue Baptist Church	13-2780116	DOHMH	(\$6,400.00)	816	112
Convent Avenue Baptist Church	13-1769584	DOHMH	\$6,400.00	816	112

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

CHART 20: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EBN Number	Agency	Amount	New Purpose of Funds
Anti-Poverty	Van Brimmer	SafePath Community Services, Inc.	13-182417H	DFTA	\$10,000.00	Funding for Substantiated Personal Emergency Response System - SPCERS, Substantiated Personal Emergency Response System (SPERS) and Transportation for elderly residents of a naturally occurring retirement community. SPCERS will be able to summon help in the event of an emergency at home.
Anti-Poverty	Van Brimmer	SafePath Community Services, Inc.	13-182417H	DFTA	\$10,000.00	Funding for Substantiated Personal Emergency Response System (SPERS) and Transportation for elderly residents of a naturally occurring retirement community. SPCERS will be able to summon help in the event of an emergency at home.
Anti-Gun Violence Initiative - Youth Programs	Van Brimmer	New Yorkers Against Gun Violence	13-300186	DYCD	\$30,000.00	Funding supports staffing and supervision of the reaction youth program, offered in all five boroughs, in all five boroughs. The funds will help pay for the program's Director and Program Assistant and the time they spend in liaison preparation, idea development, and program implementation. The REACTION program operates from October - June and the community workshops operate year-round.
Anti-Gun Violence Initiative - Youth Programs	Van Brimmer	New Yorkers Against Gun Violence	13-300186	DYCD	\$30,000.00	Funding supports staffing and supervision of the reaction youth program, offered in all five boroughs, in all five boroughs. The funds will help pay for the program's Director and Program Assistant and the time they spend in liaison preparation, idea development, and program implementation. The REACTION program operates from October - June and the community workshops operate year-round.
Anti-Gun Violence Initiative - Youth Programs	Van Brimmer	Downbeat Community Television Center, Inc.	13-242277	DYCD	\$10,000.00	Provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. DCTV will provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. DCTV will provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Anti-Gun Violence Initiative - Youth Programs	Van Brimmer	Downbeat Community Television Center, Inc.	13-242277	DYCD	\$10,000.00	Provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. DCTV will provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. DCTV will provide support for the Downbeat Community Television Center, Inc. (DCTV) to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Anti-Poverty	Ignizio	Staten Island NTP Association, Inc.	20-306025	DYCD	\$4,500.00	Staten Island NTP Association, Inc. to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. Staten Island NTP Association, Inc. to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Anti-Poverty	Ignizio	Staten Island NTP Association, Inc.	20-306025	DYCD	\$4,500.00	Staten Island NTP Association, Inc. to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. Staten Island NTP Association, Inc. to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Local	Lander	Albion Avenue District Management	45-444028	DBBS	\$3,500.00	Albion Avenue District Management to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. Albion Avenue District Management to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Local	Lander	Albion Avenue District Management	45-444028	DBBS	\$3,500.00	Albion Avenue District Management to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development. Albion Avenue District Management to support professional development events for Urban Latino non-profit leaders in the areas of business, entrepreneurship, and community development.
Anti-Gun Violence Initiative - Youth Programs	Lander	Coalition of Institutionalized Adult And Disabled	13-312464	DFTA	\$3,500.00	Coalition of Institutionalized Adult And Disabled to provide advocacy, educational and organizing services to the residents of adult institutions.

\* indicates pending completion of pre-qualification review.

CHART 21: Purpose of Funds Changes - Fiscal 2014

Source	Member	Organization	EBN Number	Agency	Amount	New Purpose of Funds
Local	Van Brimmer	SafePath Community Services, Inc.	13-182417H	DFTA	\$10,000.00	To support the Personal Emergency Response System (PERS) (2009) and Transportation for elderly residents of a naturally occurring retirement community. PERS will be able to summon help in the event of an emergency at home.
Local	Van Brimmer	SafePath Community Services, Inc.	13-182417H	DFTA	\$10,000.00	Funding to support Substantiated Personal Emergency Response System (SPERS) and Medical Transport for seniors in and around Big Sister Knolls.

\* indicates pending completion of pre-qualification review.

JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, January 21, 2015.

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

Reports of the Committee on Land Use

Report for L.U. No. 158

**Report of the Committee on Land Use in favor of filing Application No. 20155247 PNK pursuant to §1301 (2) (f) of the New York City Charter concerning a proposed maritime lease between the New York City Department of Small Business Services and the New York City Economic Development Corporation for approximately 72 acres of City-owned land, known as the South Brooklyn Marine Terminal, located at 81 39th Street (Block 662, Lots 136 and parts of Lots 1, 130 and 155), Borough of Brooklyn, Community Board 7, Council District 38.**

The Committee on Land Use to which the annexed Land Use item was referred on December 8, 2014 (Minutes, page 4372) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

**BROOKLYN CB - 7**

**20155247 PNK**

Application pursuant to §1301 (2)(f) of the New York City Charter concerning a proposed maritime lease between the New York City Department of Small Business Services (DSBS) and the New York City Economic Development Corporation (EDC) for approximately 72 acres of City-owned land, known as the South Brooklyn Marine Terminal, located at 81 39th Street (Block 662, Lot 136, and parts of Lots 1, 130 and 155), Borough of Brooklyn.

INTENT

Proposed forty-nine year master lease agreement between DSBS and EDC for approximately 72 acres of the South Brooklyn Marine Terminal for maritime uses. Applicant withdrew application by letter dated and received on January 7, 2015.

PUBLIC HEARING

**DATE:** December 15, 2014

**Witnesses in Favor:** Seven

**Witnesses Against:** None

Subsequent to the public hearing held on December 15, 2014, by letter dated January 7, 2015 and submitted to the City Council on January 7, 2015, the Applicant withdrew the application.

SUBCOMMITTEE RECOMMENDATION

**DATE:** January 13, 2015

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

**In Favor:** Koo, Palma, Arroyo, Mendez, Levin, Barron, Kallos

**Against:** None

**Abstain:** None

COMMITTEE ACTION

**DATE:** January 15, 2015

The Committee recommends that the Council approve the attached resolution.

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

**Against:** None

**Abstain:** None

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



Res. No. 555

**Resolution approving a motion to file pursuant to withdrawal of the proposed Lease Agreement for maritime uses of approximately 72 acres of City-owned land, known as the South Brooklyn Marine Terminal, located at 81 39th Street (Block 662, Lot 136, p/o Lot 1, p/o Lot 130, p/o Lot 155), Borough of Brooklyn (20155247 PNK; L.U. No. 158).**

By Council Members Greenfield and Koo.

**WHEREAS**, The City of New York Department of Small Business Services filed with the Council on November 25, 2014, pursuant to Sections 1301(2)(f) of the New York City Charter, a proposed lease agreement between The City of New York Department of Small Business Services (“DSBS”), as landlord, and the New York City Economic Development Corporation (“Tenant”) for approximately 72 acres of City-owned land, known as the South Brooklyn Marine Terminal, located at 81 39th Street (Block 662, Lot 136, p/o Lot 1, p/o Lot 130, p/o Lot 155), for a forty-nine year term for maritime uses, upon terms and conditions set forth in the lease agreement, (the “Lease Agreement”), Community District 7, Borough of Brooklyn;

**WHEREAS**, the Lease Agreement is subject to review and action by the Council pursuant to Section 1301(2)(f) of the New York City Charter;

**WHEREAS**, upon due notice, the Council held a public hearing on the Lease Agreement on December 15, 2014;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the determination by DSBS, dated November 19, 2014, that the Lease Agreement is a Type II action requiring no further review under CEQR.

**WHEREAS**, by submission dated January 7, 2015 and submitted to the Council on January 7, 2015, the Applicant withdrew the application.

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

Coupled to be Filed Pursuant to a Letter of Withdrawal.

Report for L.U. No. 164

**Report of the Committee on Land Use in favor of approving Application No. N 150102 ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution relating to Article IX, Chapter 8 (Special West Chelsea District) to expand the Special District and Article I, Chapter 4 (Sidewalk Café Regulations) to allow unenclosed sidewalk cafes in areas of the Special District, Borough of Manhattan, Community Board 4, Council District 3.**

The Committee on Land Use to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for LU No. 164 & Res No. 560 printed in the General Order Calendar section of these Minutes)**

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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. 165

**Report of the Committee on Land Use in favor of approving Application No. C 150101 ZMM, submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 8b, to expand the Special West Chelsea District, Borough of Manhattan, Community Board 4, Council District 3.**

The Committee on Land Use to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for LU No. 165 & Res No. 561 printed in the General Order Calendar section of these Minutes)**

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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. 166

**Report of the Committee on Land Use in favor of approving Application No. 20155174 HKK (N 150124 HKK), pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Doering Bohack House, 1090 Green Avenue (Block 3924, Lot 1) (Designation List 474, LP-2548), Borough of Brooklyn, Community Board 4, Council District 34, as a landmark.**

The Committee on Land Use to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557) and was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 4**

**20155174 HKK (N 150124 HKK)**

Designation by the Landmarks Preservation Commission (List No. 474, LP-2548), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the Doering-Bohack House located at 1090 Greene Avenue (a/k/a 1 Goodwin Place) (Tax Map Block 3294, Lot 1), as an historic landmark.

**PUBLIC HEARING**

**DATE:** January 13, 2015

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 13, 2015

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

**In Favor:** Koo, Palma, Arroyo, Mendez, Levin, Barron, Kallos

**Against:** None

**Abstain:** None

**COMMITTEE ACTION**

**DATE:** January 15, 2015

The Committee recommends that the Council approve the attached resolution.

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

**Against:** None

**Abstain:** None

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

Res. No. 556

**Resolution affirming the designation by the Landmarks Preservation Commission of the Doering-Bohack House, located at 1090 Greene Avenue (a/k/a 1 Goodwin Place) (Tax Map Block 3294, Lot 1), Borough of Brooklyn, Designation List No. 474, LP-2548 (L.U. No. 166; 20155174 HKK; N 150124 HKK).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on October 8, 2014 a copy of its designation dated September 30, 2014 (the "Designation"), of the Doering-Bohack House, located at 1090 Greene Avenue (a/k/a 1 Goodwin Place), Community District 4, Borough of Brooklyn, as a landmark and Tax Map Block 3294, Lot 1, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 5, 2014, its report on the Designation dated December 3, 2014 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 13, 2015; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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. 167

**Report of the Committee on Land Use in favor of approving Application No. 20155204 HKM (N 150157 HKM), pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission regarding the First German Baptist Church, 334 East 14th Street (Block 455, Lot 24, in part) (Designation List 475, LP-2475) Borough of Manhattan, Community Board 3, Council District 2, as a landmark.**

The Committee on Land Use to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557) and was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 3**

**20155204 HKM (N 150157 HKM)**

Designation by the Landmarks Preservation Commission (List No. 475/LP-2475), pursuant to Section 3020 of the New York City Charter, of the landmark designation of the First German Baptist Church (Later Ukrainian Autocephalic Orthodox Church of St. Volodymyr/Later Congregation Tifereth Israel Town and Village Synagogue), located at 334 East 14<sup>th</sup> Street (a/k/a 334-336 East 14<sup>th</sup> Street) (Tax Map Block 455, Lot 24 in part), as an historic landmark.

**PUBLIC HEARING**

**DATE:** January 13, 2015

**Witnesses in Favor:** Two

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 13, 2015

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

**In Favor:** Koo, Palma, Arroyo, Mendez, Levin, Barron, Kallos

**Against:** *None*

**Abstain:** *None*

**COMMITTEE ACTION**

**DATE:** January 15, 2015

The Committee recommends that the Council approve the attached resolution.

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

**Against:** *None*

**Abstain:** *None*

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

Res. No. 557

**Resolution affirming the designation by the Landmarks Preservation Commission of the First German Baptist Church (Later Ukrainian Autocephalic Orthodox Church of St. Volodymyr/Later Congregation Tifereth Israel -Town and Village Synagogue), located at 334 East 14<sup>th</sup> Street (a/k/a 334-336 East 14<sup>th</sup> Street) (Tax Map Block 455, Lot 24 in part), Borough of Manhattan, Designation List No. 475, LP-2475 (L.U. No. 167; 20155204 HKM; N 150157 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on November 6, 2014 a copy of its designation dated October 28, 2014 (the "Designation"), of the First German Baptist Church (Later Ukrainian Autocephalic Orthodox Church of St. Volodymyr/Later Congregation Tifereth Israel Town and Village Synagogue), located at 334 East 14<sup>th</sup> Street (a/k/a 334-336 East 14<sup>th</sup> Street), Community District 3, Borough of Manhattan as a landmark and Tax Map Block 455, Lot 24 in part, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 19, 2014, its report on the Designation dated December 17, 2014 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 13, 2015; and

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

**RESOLVED:**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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).



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

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

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

Res. No. 559

**Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 11 Sixth Avenue, Borough of Manhattan (20145332 TCM; L.U. No. 169).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the Department of Consumer Affairs filed with the Council on December 24, 2014 its approval dated December 23, 2014 of the petition of Eleven Food and Beverage Inc., for a revocable consent to establish, maintain and operate an enclosed sidewalk café located at 11 Sixth Avenue, Community District 1, Borough of Manhattan (the "Petition"), pursuant to Section 20-225 of the New York City Administrative Code (the "Administrative Code");

**WHEREAS**, the Petition is subject to review by the Council pursuant to Section 20-225(g) of the Administrative Code;

**WHEREAS**, upon due notice, the Council held a public hearing on the Petition on January 13, 2014; and

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

**RESOLVED:**

Pursuant to Section 20-225 of the Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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 Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services**

Report for Int. No. 571-A

**Report of the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the early intervention program.**

The Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, to which the annexed proposed amended local law was referred on December 8, 2014 (Minutes, page 4333), respectfully

**REPORTS:**

**Introduction**

On January 21, 2015, the Committee on Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse, and Disability Services, chaired by Council Member Andrew Cohen, will hold a hearing on Proposed Int. 571-A, "A local law to amend the New York City Charter, in relation to the early intervention program." This will be the second hearing on this bill. The first hearing was held on December 15, 2014. At that hearing the Department of Health and Mental Hygiene and advocates testified in support of the bill.

**Background**

Congress created the national Early Intervention Program for infants and toddlers with disabilities as part of the Individuals with Disabilities Education Act (IDEA).<sup>1</sup> The IDEA created an entitlement to a wide range of rehabilitative services for infants and toddlers from birth through age two.<sup>2</sup> Under the New York State

Public Health Law, localities must offer early intervention services to infants and toddlers with developmental disabilities or delays.<sup>3</sup>

Currently, the Early Intervention Program is administered through the Division of Mental Hygiene as mandated by the New York City Charter.<sup>4</sup> Recently, the commissioner of the Department of Health and Mental Hygiene (DOHMH) created a new division within the agency, the Division of Family and Child Health. DOHMH would like to be able to administer the Early Intervention Program through the newly created Division of Family and Child Health.

**Analysis**

Proposed Int. 571-A would amend subdivision b of section 556 of chapter 22 of the New York City Charter. It would remove the requirement that the early intervention program be administered by the Division of Mental Hygiene, a division within DOHMH, and would allow the commissioner of DOHMH to place the program in the newly created Division of Family and Child Health. There were no substantive changes made to the bill since it was originally introduced.

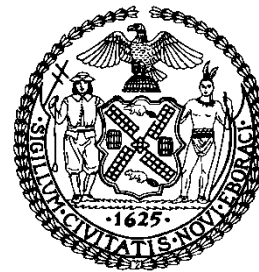
<sup>1</sup> 20 USC § 1431

<sup>2</sup> Id.

<sup>3</sup> N.Y. Public Health Law § 2552

<sup>4</sup> N.Y. City Charter § 556

**(The following is the text of the Fiscal Impact Statement for Int. No. 571-A:)**



**THE COUNCIL OF THE CITY OF NEW YORK**  
**FINANCE DIVISION**  
**LATONIA MCKINNEY, DIRECTOR**  
**FISCAL IMPACT STATEMENT**  
**PROPOSED INTRO. NO.: 571-A**

**COMMITTEE:** Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to the early intervention program.

**SPONSORS:** Council Members Cohen, Koo Vallone and Mendez.

**SUMMARY OF LEGISLATION:**

Proposed Intro. No. 571 would amend the administrative code to remove language that required that the early intervention program be administered by the Division of Mental Hygiene, a division within the Department of Health and Mental Hygiene (DOHMH). This would allow the commissioner of DOHMH to have the discretion to move the program to another division.

**EFFECTIVE DATE:** This local law would take effect immediately upon enactment.

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

**FISCAL IMPACT STATEMENT:**

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from this legislation because legislation does not impact DOHMH's administration of the program.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhen R. Francisco, Senior Legislative Financial Analyst

ESTIMATED REVIEWED BY: Regina Poreda Ryan, Deputy Director, New York City Council Finance Division

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

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

**LEGISLATIVE HISTORY:** Intro. No. 571 was introduced to the Council on December 8, 2014 and referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services. The Committee held a hearing on Intro. No. 571 on December 15, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intr. No. 571-A, will be voted on by the Committee on January 21, 2015. Upon successful vote by the Committee, Proposed Int. No. 571-A will be submitted to the full Council for a vote on January 22, 2015.

DATE PREPARED: April 8, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 571-A:)

Int. No. 571-A

By Council Members Cohen, Koo, Vallone, Mendez and Kallos.

**A Local Law to amend the New York city charter, in relation to the early intervention program**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 7 of subdivision b of section 556 of chapter 22 of the New York city charter, as added by a vote of the electors on November 6, 2001, is amended to read as follows:

(7) administer [within the division of mental hygiene,] the unit responsible for early intervention services pursuant to the public health law; and

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

ANDREW COHEN, *Chairperson*; ELIZABETH S. CROWLEY, RUBEN WILLS, COREY D. JOHNSON, PAUL A. VALLONE; Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services, January 21, 2015.

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

**Report of the Committee on Parks and Recreation**

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

Report for Int. No. 620

**Report of the Committee on Parks and Recreation in favor of approving and adopting, a Local Law in relation to the naming of 56 thoroughfares and public places, Dave Reid Jr. Place, Borough of the Bronx, Prince Joshua Avitto Way, Borough of Brooklyn, Rev. Wenceslao Martinez Way, Borough of Brooklyn, José Francisco Peña Gomez Boulevard, Borough of the Bronx, DJ Scott la Rock Boulevard, Borough of the Bronx, Luis Muñoz Marín Way, Borough of the Bronx, Basil Paterson Boulevard, Borough of the Bronx, Oscar de la Renta Boulevard, Borough of the Bronx, Frank T. Modica Way, Borough of Manhattan, Norman Buchbinder Way, Borough of Manhattan, Bronx Science Boulevard, Borough of the Bronx, Archbishop Iakovos of America, Borough of Queens, Steven Frosch Way, Borough of Queens, James Baldwin Place, Borough of Manhattan, Detective Rafael Ramos Way, Borough of Brooklyn, Frank J. Santo Way, Borough of Brooklyn, Judge Hansel L. McGee Place, Borough of the Bronx, Bishop Robert Green Way, Borough of the Bronx, Angelo "Chubby" Campanella, Borough of Brooklyn, Rabbi Weissmandl Way, Borough of Brooklyn, Jimmy Zappalorti Lane, Borough of Staten Island, FDNY Lt. Matt Ambelas Way, Borough of Staten Island, Milton Alexander Way, Borough of the Bronx, Bishop Ignatius A. Catanello Way, Borough of Queens, Barry Weinbrom Way, Borough of Brooklyn, Lydia Buffington**

**Way, Borough of Brooklyn, John Cortese Way, Borough of Brooklyn, George Carlin Way, Borough of Manhattan, Barnard Way, Borough of Manhattan, Edwin Thomas Way, Borough of Brooklyn, William Creech Vietnam Veteran Way, Borough of Staten Island, Dr. Jerry V. Burns Way, Borough of Brooklyn, Henry McCoy Jr. Way, Borough of Queens, Kenneth Anthony Nugent Way, Borough of Queens, Kevin Lamont Miller Jr. Way, Borough of Queens, Kalyana Ranasinghe Way, Borough of the Bronx, Ann Maggio Way, Borough of Queens, Max Bond Way, Borough of Manhattan, Jacob Birnbaum Way, Borough of Manhattan, Stanley Jay Way, Borough of Staten Island, Battalion Chief Charles L. Kasper Way, Borough of Staten Island, Vincent C. Pompa Way, Borough of Staten Island, Cooper Stock Way, Borough of Manhattan, PCS Way, Borough of Manhattan, Barbara Dattilo Way, Borough of Brooklyn, Brother Jack SanFilippo Way, Borough of Brooklyn, Detective Wenjian Liu Way, Borough of Brooklyn, Jack Maple Place, Borough of Queens, Benjamin Fried Boulevard, Borough of Queens, Robert C. Lohnes Way, Borough of Queens, Sunnyside Garden Arena Way, Borough of Queens, Alice Cardona Way, Borough of Queens, Luke Adams Way, Borough of Queens, Pecola and Nicholas Rodriguez Way, Borough of Brooklyn, Debbie Bowden Way, Borough of the Bronx, Margaret Mack Triangle, Borough of the Bronx and the repeal of sections 14, 15, 24, 25, 40 and 62 of local law number 34 for the year 2014, sections 34 and 53 of local law number 131 for the year 2013 and section 46 of local law number 50 for the year 2013.**

The Committee on Parks and Recreation, to which the annexed preconsidered proposed local law was referred on January 22, 2015, respectfully

**REPORTS:**

Comment:

On January 20, 2015, the Committee on Parks and Recreation will hold a hearing on Preconsidered Int. No. 620 which co-names fifty-six (56) thoroughfares and public places. The Council acts upon the authority granted in subdivision (b) of section 25-102.1 of the New York City Administrative Code which states:

- b. Unless the local law specifically provides otherwise, any local law changing the name of a street, park, playground or portion thereof, or any facility or structure, located and laid out on the city map, that bears a name indicated on the city map shall not be construed to require a change in such name as it is indicated on the city map; provided, however, that in the case of a local law changing the name of a street or portion thereof, the name added by such local law shall be posted on a sign placed adjacent to or near a sign bearing the name of such street or portion thereof indicated on the city map.

The following street name changes are not to be construed as a change in the City Map, but as additional names to be posted near or adjacent to the street or location indicated on the City Map.

**Section 1. Dave Reid Jr. Place**

Introduced by Council Member Arroyo

August 23, 1932 – January 14, 2014

Dave Reid Jr. was a community activist who served as a member of the governing board of the Bronx Ambulatory Care Network and the Advisory Board of Comprehensive Family Center of the Montefiore Medical Center. He was chairperson of the Longfellow Block Association and Bronx Community Board 3. He was instrumental in organizing the first tenant league at 1670 Longfellow Avenue and later became the 7A administrator to manage the building. He received the Certificate of Appreciation from Governor Patterson for volunteering in City parks and also received numerous awards for community service. He was very involved with Mt. Zion C.M.E. Church and served on the Steward Board, Trustee Board, Board of Evangelism, Senior Choir, Sons of Abraham and the Men's Ministry. He had a major leadership role in the planning, coordinating and development of the Rock Garden Park on Longfellow Avenue and won the prestigious NYC Arts Commission Award for Design in 1999. He also received Recognition of Service from Mayor Bloomberg for volunteerism with NYC Parks, Rock Garden Park and Green Thumb as well as, Recognition of Service for Participation in the One Million Tree's Project.

**Section 2. Prince Joshua Avitto Way**

Introduced by Council Member Barron

Prince Joshua Avitto was only 6 years-old when he was killed in a public-housing project elevator. The families and community residents have discussed starting a memorial/scholarship fund in honor of their children. Additionally, because Prince Joshua Avitto was stabbed in the Boulevard Housing Development, it put a spotlight on the issue of safety and security throughout NYCHA housing citywide. Former CM Charles Barron, other Council Members, and former Speaker Quinn allocated funds for the installation of cameras before their terms ended, but cameras were not installed accordingly. Mayor de Blasio and NYCHA Chair Shola Olatoye responded and helped to expedite the installation of cameras at Boulevard and other housing developments in ENY.



**Section 3. Rev. Wenceslao Martinez Way**

Introduced by Council Member Barron

September 27, 1930 – February 24, 2011

Wenceslao Martinez was employed at Dollcraft Company where he designed stuffed animals. He later started a small business with his own creations of stuffed animals and employed hundreds of people in his community, allowing him to make a positive influence on his community. After becoming a property owner he provided food and shelter for hundreds of homeless people in need and became a mentor to many people in his community. He was ordained as a pastor in 1973 and was affiliated with one of the first and largest Hispanic churches in East New York called the Roca De Salvacion for 45 years. In 2002, he established the pantry program at Las Maravillas del Exodo church. The food pantry continues to feed the hungry today.

**Section 4. José Francisco Peña Gomez Boulevard**

Introduced by Council Member Cabrera

Jose Pena Gomez was a three-time candidate for President of the Dominican Republic, the leader of the Dominican Revolutionary Party and former Mayor of Santo Domingo. He was born in Valverde to parents of Haitian descent and was orphaned as an infant when Rafael Trujillo, the military dictator of the Dominican Republic, ordered a massacre in which more than 10,000 Haitians and Dominicans of Haitian descent in the border area were killed and additional thousands fled across the border. He was raised by a peasant family and gave him their name. When he was 15, he became an instructor in a literacy program for poor children in his native province and later worked as a teacher in rural and night schools. He also studied political science at universities in Costa Rica and Puerto Rico, and became the press secretary of the leftist Dominican Revolutionary Party, and later its secretary-general. The Dominican Revolutionary Party's leader was Juan Bosch who led the opposition to the Trujillo dictatorship. When Bosch was elected president in 1962, Jose Pena Gomez had emerged as a protege. Juan Bosch was ousted by a coup in 1963 which led to a civil war and an American invasion of the Dominican Republic. Pena Gomez eventually had to leave the country and took refuge in France to study political science and constitutional and labor law for two years at the University of Paris. He also studied political science in courses at Harvard University and Michigan State University. While in exile, he was involved in efforts to obtain international condemnation of human rights violations in the Dominican Republic. In 1982, he was elected mayor of Santo Domingo. He also traveled from Santo Domingo to New York and Washington to advocate on behalf of Dominican migrant workers' rights.

**Section 5. DJ Scott la Rock Boulevard**

Introduced by Council Member Cabrera

March 2, 1962 – August 27, 1987

DJ Scott la Rock (Scott Sterling) was the original DJ of the hip-hop group Boogie Down Productions whose 1987 debut album, *Criminal Minded*, is considered an all-time classic hip-hop record. He earned a bachelor's degree in business and later became a social worker. At the shelter he was working at, he met KRS-One (Kris Parker) a graffiti artist and self-taught philosopher. Together they formed Boogie Down Productions. He was killed when he was trying to diffuse an argument that Boogie Down Productions member, D-Nice was involved in.

**Section 6. Luis Muñoz Marín Way**

Introduced by Council Member Cabrera

February 18, 1898 – April 30, 1980

Luis Muñoz Marín was a Puerto Rican poet, journalist, politician and statesman who was considered the "Architect of the Commonwealth." He was the first democratically elected Governor of Puerto Rico. He was briefly involved with the Socialist Party and later joined the newly formed Liberal Party and created a group known as *Acción Social Independentista*. He took part in foundation of the Popular Democratic Party of Puerto Rico which won a majority in the Senate of Puerto Rico with Muñoz Marín serving as the president. He worked closely with the United States and got Puerto Rico included in the New Deal program and Operation Boot Strap. These provided money to improve the standards of living of many living on the island. He also worked closely with the United States as Governor to create Puerto Rico's Constitution and to change Puerto Rico to Freely Associated State, or a commonwealth. He was honored by President John F. Kennedy with a state dinner at the White House and awarded him the Presidential Medal of Freedom for his accomplishments.

**Section 7. Basil Paterson Boulevard**

Introduced by Council Member Cabrera

April 27, 1926 – April 16, 2014

Basil Paterson graduated DeWitt Clinton High School in the Bronx and later studied at St. John's University. He served in the United States Army during World War II. After the war, he earned a law degree in 1951. He became involved in clubhouse politics in Harlem, where he practiced law, and was elected a state senator in 1965. He gave up that seat to run for lieutenant governor in 1970. In 1978, Mayor Ed Koch selected Paterson as his deputy mayor in charge of labor negotiations, a post he held until being named secretary of state by Gov. Hugh Carey. He became the first African-American to earn that title at which he remained until 1982. He was later appointed a commissioner of the Port Authority of New York and New Jersey and served as a vice chairman of the Democratic National Committee. He also focused

on his labor practice with the firm of Meyer, Suozzi, English & Klein and watched his son, Governor David Paterson climb the political ladder from state senator, to lieutenant governor and then to governor with the 2006 resignation of Eliot Spitzer.

**Section 8. Oscar de la Renta Boulevard**

Introduced by Council Member Cabrera

July 22, 1932 - October 20, 2014

Oscar de la Renta was born in the Dominican Republic. At the age of 18, he studied painting in Madrid and later became one of the most sought-after names in haute couture. His flattering and feminine pieces inspired women all around the world, and his attire adored several presidential first ladies. In 1961, while on vacation in Paris, he was hired for his first real fashion job at Lanvin-Castillo. Within two years, he had moved to New York and joined the American design house of Elizabeth Arden. He began his own signature ready-to-wear label in 1965. His line, identified by its delicate silk prints, use of ruffles, soft silhouettes and vibrant palette, became synonymous with casual luxury. He was known for his lines distinctly modern yet romantic looks, and for those who couldn't afford his gowns, he offered a scent. His first perfume debuted in 1977. He served as president of the Council of Fashion Designers of America from 1973 until 1976, and from 1986 until 1988. After his wife's death, he adopted a son he found in an orphanage in his native country. By the late '90s and early 2000s, his work became the preferred wear of American first ladies. He dressed first lady Nancy Reagan in the 1980s, and then provided the gowns for inaugural events for both Hillary Clinton in 1997 and Laura Bush in 2005. He also served on the boards of The Metropolitan Opera, Carnegie Hall and Channel Thirteen/WNET and supported several cultural institutions, including New Yorkers for Children, the Americas Society and the Spanish Institute. He also opened a furniture line.

**Section 9. Frank T. Modica Way**

Introduced by Council Member Chin

December 11, 1931 - September 25, 2013

Frank T. Modica was a leader in the settlement house movement and social services sector throughout New York City, primarily in the Two Bridges and Lower East Side areas of Manhattan. He served as Executive Director of Hamilton-Madison House (HMH), a more-than-century-old non-profit settlement house dedicated to improving the quality of life for individuals and families from 1976 - 2010. Under his 34 years of stewardship, HMH grew to become one of the nation's leading providers of Behavioral Health Services to Asian and Asian-American communities. He also served on the boards of a number of local, national, and international organizations including United Neighborhood Centers of America; and International Federation of Settlements and Neighborhood Centers. He served on the Board of Two Bridges Neighborhood Council since 1977, during which time the organization created permanently affordable housing for thousands of families and individuals. Between 1972 -1997, Two Bridges succeeded in creating nearly 1,500 units of low and moderate income housing.

**Section 10. Norman Buchbinder Way**

Introduced by Council Member Chin

1922 – 2007

Norman Buchbinder was co-founder of the Union Square Partnership, the city's first business improvement district, covering Union Square and 14<sup>th</sup> Street between 6<sup>th</sup> and 1<sup>st</sup> Avenues. He also founded the Village Alliance business improvement district which went on to fund a major 8<sup>th</sup> Street capital improvement project in 2001 to widen the sidewalks and add historic lampposts. He owned several buildings in Chelsea and managed approximately 65 buildings. He was responsible for bringing back 8<sup>th</sup> Street, including MacDougal Street from decay it suffered in the 1970s and 80s.

**Section 11. Bronx Science Boulevard**

Introduced by Council Member Cohen

This co-naming will commemorate the Bronx High School of Science, founded in 1938. The school has consistently ranked as one of the top high schools in New York City.

**Section 12. Archbishop Iakovos of America**

Introduced by Council Member Constantinides

July 29, 1911 – April 10, 2005

Archbishop Iakovos was ordained to the priesthood in 1940 and served as a Preacher at Holy Trinity Cathedral in New York City. He was the Primate of the Greek Orthodox Archdiocese of North and South America. He served for nine years as president of the World Council of Churches, established dialogues with Roman Catholics, Anglicans, Lutherans, Southern Baptists and Black Church leaders and initiated Orthodox Dialogue with Judaism. He founded the Standing conference of Canonical Orthodox Bishops in the America in 1960. As a champion of civil rights, he walked with Dr. Martin Luther King, Jr. in Selma, Alabama and he initiated a massive campaign to assist Greek Cypriot refugees following the invasion of Cyprus by Turkish armed forces. He was the recipient of honorary degrees from over 40 colleges and universities and was cited in 1979 by the House of Congress. He also received the Presidential Medal of Freedom by President Jimmy Carter, awarded the Ellis Island Medal of Honor and was cited by the Academy of Athens, the National Conference of Christians and Jews and the Appeal of Conscience.

**Section 13. Steven Frosch Way**

Introduced by Council Member Crowley

Steven Frosch left the NYPD in 1999 to work for the Sanitation Department. He was killed on the job while performing maintenance on a mechanical broom at the Maspeth garage he worked at.

**Section 14. James Baldwin Place**

Introduced by Council Member Dickens

August 2, 1924 – December 1, 1987

James Baldwin was a writer and civil rights activist and is considered one of the greatest writers of his generation. He would later become a prominent figure of the Civil Rights Movement. He was born in Harlem and at age fourteen became a member of the Pentecostal Church where he began to preach. In the early 1940s, he abandoned his religious faith to focus on literature. He began writing short stories, essays and book reviews which were published in *Notes of a Native Son* in 1955. His most known and celebrated work is his partially autobiographical novel *Go Tell It On The Mountain*. His writings denounce racism and more precisely the injustices done to the African-American community in the United States in the 1920s. The book is considered one of the literary masterpieces of that era. In 1956, he published *Giovanni's Room* in which he openly discusses the issues of race and homosexuality. In 1957 he returned to the United States to participate in the Civil Rights Movement alongside Martin Luther King and Malcolm X. In 1961, he published an important essay on race relations and the role of writers in society entitled *Nobody Knows My Name: More Notes of a Native Son*, which would be followed in 1962 by the novel *Another Country*. In 1963, he published *The Fire Next Time* which is widely considered one of the most brilliant essays on the history of black protest. He also wrote two plays, *The Amen Corner* (1955), and *Blues for Mister Charlie* (1964). He won the prestigious George Polk prize in 1963. In 1987, the "National James Baldwin Literary Society" was founded and in 1992, Hampshire College in Amherst, Massachusetts, the institution of higher learning where he taught in the 1980s started the "James Baldwin Scholar Program" which provides scholarships to talented students from undeserved communities who would benefit from a transition year before college. His short story "Sonny's Blues" is often included in anthologies of fiction studied in college literature seminars. He was included in Molefi Kete Asante's, founder of the first PhD program in African American Studies, dictionary as one of 100 Greatest African Americans. Also, in 2005, the United States Postal Service made a first-class stamp dedicated to James Baldwin.

**Section 15. Detective Rafael Ramos Way**

Introduced by Council Members Espinal and Levine in conjunction with the Mayor

Rafael Ramos was killed in the line of duty with his partner Officer WenJian Liu.

**Section 16. Frank J. Santo Way**

Introduced by Council Member Gentile

September 12, 1932 - September 8, 2013

Frank J. Santo served in the United States Marine Corp. as a Lance Corporal and later became a successful attorney practicing law for over 50 years. As a District Leader, he, with other elected officials, raised over a million dollars in aid for victims of an earthquake that struck in Italy in the early 1970's. He was also instrumental in pioneering a senior citizens center that was housed in the Stars and Stripes Democratic Club and he also entertained First Lady Roslyn Carter and also John Glenn at the club as well.

**Section 17. Judge Hansel L. McGee Place**

Introduced by Council Member Gibson

June 13, 1926 – July 8, 2002

Hansel L. McGee served in the United States Navy in World War II. He went on to serve as an attorney and subsequently as Director for Bronx Legal Services and was later elected to the Bronx Civil Court. He also served as an Acting New York State Supreme Court Justice. In 1990, he was elected as a Justice of the New York State Supreme Court in the Bronx. After his retirement, he served as Board Chairman of the Southeast Bronx Neighborhood Center, the Morrisania Revitalization Corporation and the African-American Legal Defense and Education Fund. He also served as a Board Member of the New York Metropolitan Martin Luther King, Jr. Center for Non-Violence and the South Bronx Overall Economic Development Corporation. He was instrumental in creating the Harriet Tubman Charter School in 2001, which was the first charter school approved by New York State Board of Regents and is regarded as one of the most effective charter schools in the state. The Hansel and Mildred McGee Foundation was founded as a scholarship fund for Bronx residents who want to attend college. In 1966, he started to become very active in the Bronx. In 1972, he took a leave of absence from IBM and served as an attorney and, eventually, Director for Bronx Legal Services. In addition to serving as a judge, he also served as the Chairmen of the Concourse Village Co-Op Board; and the Founder of The Bronx Chapter of the African American Legal Defense Fund and Exploring New Options, Inc. McGee also played an active role in the Lavelle School for the Blind, the Pyramid Youth Detention Center, Northeast Bronx Neighborhood Centers, The Bronx Chapter of the Urban League, The Bronx Bar Association, The Bronx Black Bar Association, the New York State Trial Lawyers Association, One Hundred Black Men, the Martin Luther King Jr. Center for Nonviolence, the National Association for the Advancement of Colored People

(NAACP), and the South Bronx Overall Economic Development Corporation. In 2000, Judge McGee in conjunction with The Bronx Chapter of the Martin Luther King Center for Nonviolence and the African American Legal Defense and Education Fund, established the Harriet Tubman Charter School, which is located In Morrisania.

**Section 18. Bishop Robert Green Way**

Introduced by Council Member Gibson

October 24, 1927 – 1995

Robert Green founded the Holy Tabernacle Church in 1965. The church began in a small storefront. Over the years, the church expanded with a membership of 150 people. He was ordained a Bishop by Bishop Bassnight of the Redeemed Church in 1973. The Holy Tabernacle Church has four generations of members and has been in the same location for 49 years. The church provides services and outreach programs such as a weekly food pantry, clothing and furniture distribution, mobile lunch program, computer training, counseling and job placement referrals among many other services. In May 2015, the church will celebrate its 50<sup>th</sup> anniversary.

**Section 19. Angelo "Chubby" Campanella**

Introduced by Council Member Greenfield

Angelo Campanella served in the United States Army for 2 years during WWII. He later became a celebrated ice cream vendor and a mainstay of the Bensonhurst community and served generations of Brooklynites over the course of 50 years. He served as the eyes and ears of the community by alerting the authorities if he ever saw a dangerous situation developing or any threat to his community, helping avert crimes before they took place. He also warned children about drug use and offered advice to stay away from delinquent behavior. This commitment to helping others was evident one afternoon when he saved a customer's baby from choking to death, rushing the distraught young mother and child to the hospital just in time to save the child's life. He once pulled a mother and baby out from a flipped car that was in danger of catching fire and also intervened in an attempted hit-and-run by a drunk driver when a customer was hit shortly after purchasing ice cream. He witnessed the crime and blocked the roadway with his ice cream truck, ensuring that the drunk driver could not flee the scene and was apprehended by police officers. His service has been documented in a number of publications including [The New York Times](#), [The New York Daily News](#) and [People Magazine](#). He began his business in 1944 growing his business from a freezer mounted on a bicycle, to a Ford Model A, a Model T and eventually a 1971 Chevrolet ice cream truck. Residents of Bensonhurst knew they could rely on Chubby to alert the authorities or lend advice to youth who would have otherwise turned to drugs and crime. He organized and carried out many community food drives on behalf of his less fortunate neighbors, annual winter block parties and toy drives and fundraiser galas for residents battling cancer. He also donated countless ice cream cones to children who were short of change.

**Section 20. Rabbi Weissmandl Way**

Introduced by Council Member Greenfield

Rabbi Michael Ber Weissmandl was instrumental in saving the European Jewish populace during World War II as a resistance fighter. He created a "Working Group" to convince German and Slovakian authorities to delay the mass deportation of Jews for two years. He appealed to world leaders with abilities he hoped would help save the Jews of Europe, including President Franklin Delano Roosevelt and Winston Churchill and alerted them to the progressive Nazi actions in Europe. He also reestablished the Nitra Yeshiva in Boro Park, Mount Kisco and New Jersey when he came to the United States.

**Section 21. Jimmy Zappalorti Lane**

Introduced by Council Member Ignizio

September 29, 1945 – January 22, 1990

Jimmy Zappalorti served in Vietnam from 1962 to 1965 as a naval officer aboard the U.S.S. *Henrico*. He received an honorable discharge following a nervous breakdown stemming from an incident in which he and his boyfriend were jumped. His boyfriend was killed in the incident. He was often a target of violence due to the fact that he was gay and had mental illness. He was murdered by two of his neighbors which was recognized as the first anti-gay hate crime in New York City. Ten year later, Governor Pataki signed into law the "Hate Crimes Bill" which Mr. Zappalorti name and murder were cited during the bill signing ceremony. A health support group was established by the LGBT called the Zappalorti Society.

**Section 22. FDNY Lt. Matt Ambelas Way**

Introduced by Council Member Ignizio

September 8, 1973 – July 5, 2014

Matt Ambelas was a fourteen year FDNY veteran who was killed in the line of duty while putting out a fire in Williamsburg, Brooklyn.

**Section 23. Milton Alexander Way**

Introduced by Council Member King

January 14, 1933 – November 10, 2009

Milton Alexander co-founded the Co-op City Tennis Club in 1983 after he campaigned to get the tennis courts at Co-op City resurfaced. He coached thousands of adults and kids and taught them the game of tennis. Thirty-four children received

college scholarships under his leadership. Also under his leadership, the children of Co-op City Tennis Club were chosen several years in a row to the U.S. Open in Flushing to represent the children of NYC. They also won numerous championships. He conducted tennis tournaments and was a board member of the New York Junior Tennis League, the Youth Activities Committee, and Section Leader for the US Tennis Association Minority Participation Committee and a founding member of the North Bronx Sports Federation. He was also a member of the New York State Assembly Scholarship Committee for the 82<sup>nd</sup> Assembly District.

#### **Section 24. Bishop Ignatius A. Catanello Way**

Introduced by Council Member Lancman

Bishop Ignatius A. Catanello lived and served in the Diocese of Brooklyn his entire life. He was a parishioner at Most Holy Trinity parish, Williamsburg, where he attended the parish elementary and high school. He studied for one year at the seminary of the Order of Recollects of St. Augustine in Kansas City, Kansas, and then spent three years at Cathedral College, Brooklyn. He graduated from St. Francis College and attended Immaculate Conception Seminary and was ordained in 1966, by Archbishop Bryan J. McEntegart at St. James Pro-Cathedral in Brooklyn. He was a professor of theology at St. John's University and served as an assistant pastor at St. Rita's in Long Island City, St. Helen's in Howard Beach, St. Ann's in Flushing and Our Lady of Angels in Bay Ridge. In 1988, he was named an Episcopal Vicar for Queens South with residence at Holy Family Rectory in Flushing. He was named Prelate of Honor to His Holiness by Pope John Paul II in 1989. From 1991 until 1994, he served as principal-rector of Cathedral Prep Seminary in Elmhurst. St. John's University honored him twice with the President's Medal in 1975 and an honorary doctorate of law in 1989. He was ordained an auxiliary bishop for the Diocese of Brooklyn on August 22, 1994, at Our Lady of Perpetual Help Basilica, Sunset Park, by Bishop Thomas V. Daily. As an auxiliary bishop, he served as vicar for Clergy and vicar for Consecrated Life and Apostolic Organizations. Other pastoral work in which he was involved included parish and ecumenical ministry, drug rehabilitation counseling and leadership in clergy associations. He spent nearly a decade as chairman of the diocesan Ecumenical and Interreligious Commission and was president of the Priests Senate. Pope Benedict XVI accepted the retirement of Bishop Catanello in September 2010.

#### **Section 25. Barry Weinbrom Way**

Introduced by Council Member Lander

1946 – 2012

Barry Weinbrom taught science in the New York City Board of Education from 1968 – 2001. He taught general science at the middle school level for 28 years and biology and environmental science in the high school for seven years. During his teaching career he developed many programs including, "SMAW" Learning About Recycling," a project that integrated science, math, art and writing to help the community learn about the importance of buying recycled products and selling them; "SciMat3" Scientists, Mathematicians and Teachers for Tomorrow Today, a mentoring program in which older youngsters teach hands on science programs to elementary school students; the Millennium Project to celebrate 100 years of science achievement; the "Marriage of the Elements," a presentation for middle school students that presents 21 chemical concepts in an approachable story; the CCSP Cooperative Community Science Program, where students in pairs investigated science in the stores and businesses of their school community and founded SEED, Saving Earth Every Day, an organization that involves parents in their children's science and environmental education. He was awarded the Park Slope Civic Council's George Lovegren Award for Professionalism and was noted in the New York Post as one of New York's Most Outstanding Educators.

#### **Section 26. Lydia Buffington Way**

Introduced by Council Member Lander

Lydia Buffington was the annual organizer of the highly successful Court Street Fair, an annual tradition which continues today. Each year, the Court Street Fair attracts tens of thousands of people to the area to enjoy and support the local commercial corridor. She was also instrumental in the formation of the now decade old tradition, PumpkinFest, held every October in the neighborhood. She was extremely committed to promoting and strengthening neighborhood small businesses. She advocated strongly for a Business Improvement District. Today, a steering committee is working to form a BID on Court and Smith Streets, which will be an enormous boost to the community she helped create. She was a dedicated advocate for the Gowanus and Carroll Gardens neighborhoods. At the Gowanus Community Development Corporation, she worked as a tenant organizer and an advocate for affordable and senior housing. She served on CB6's Youth/Human Services/Education Committee and the Economic/Waterfront/Community Development and Housing Committees.

#### **Section 27. John Cortese Way**

Introduced by Council Member Lander

John Cortese was a small business owner, veteran and community leader. After he was wounded in the Korean War, he ran J.J. Cortese Fancy Fruit and Vegetable Market until he retired in 1998. He served as the president of the 7<sup>th</sup> Avenue Merchants Association and was instrumental in its founding in the 1980's. He was also well known for his leadership of the Park Slope Baseball League for 53 years. He was also the annual organizer of the Little League Parade to kick-off Opening Day of the Little League season in Prospect Park. Mayor Koch honored

him as the Commissioner of Prospect Park Baseball and also had a baseball field named in his honor in Prospect Park. He also served as president of both the 72<sup>nd</sup> Police Precinct Community Council and Sing Out Brooklyn.

#### **Section 28. George Carlin Way**

Introduced by Council Member Levine

May 12, 1937 – June 22, 2008

George Carlin was a five-time Grammy Award winning American comedian, writer, social critic and actor. He performed 14 stand-up comedy specials for HBO, wrote three best-selling books and released 23 comedy albums. He was born in Manhattan and dropped out of school when he was 14 years-old and later joined the United States Air Force. He worked for several years as a disc jockey and later formed a duo with comic Jack Burns. He would be known for transforming comedy by speaking about a variety of topics and also writing his most famous routine, Seven Words You Can Never Say on Television. This routine got him arrested on charges of obscenity after performing in Milwaukee in 1972. The case was thrown out, however the bit played a significant role in the U.S. Supreme Court case that upheld the FCC's ability to regulate indecent programming on public airwaves. He received the Lifetime Achievement Award in 2001, was ranked second on Comedy Central's Greatest Stand-ups of All Time, appeared on The Tonight Show more than 130 times and hosted the first Saturday Night Live.

#### **Section 29. Barnard Way**

Introduced by Council Member Levine

This co-naming will commemorate the 125<sup>th</sup> Anniversary of Barnard College.

#### **Section 30. Edwin Thomas Way**

Introduced by Council Member Maisel

September 12, 1962 – December 8, 2008

Edwin Thomas worked as a New York City bus driver on the B46 line. He was killed by a passenger who did not pay the fare on December 8, 2008.

#### **Section 31. William Creech Vietnam Veteran Way**

Introduced by Council Member Matteo

William L. Creech served in the United States Navy from 1966 – 1969 and was stationed aboard the USS Boston serving off the coast of Vietnam. He also served with the United States Naval Reserve from 1969 – 1971. He received many service related awards and medals including the Navy Combat Action Ribbon, the National Defense Service Medal, the Vietnam Service Medal with one Bronze Star, the Order of Silver Rose, the Republic of Vietnam Meritorious Unit Citation, the State of New York Medal for Merit and the State of New York Conspicuous Service Star. He worked for the Metropolitan Transit Authority and retired as a supervisor in 2005. He was very supportive to military veterans and served as the Commander of Disabled American Veterans, a member of the American Legion, Veterans of Foreign Wars and also served on the board of the Thomas J. Tori Chapter, Vietnam Veterans of America. He was also a member of the Elm Park Civic Association.

#### **Section 32. Dr. Jerry V. Burns Way**

Introduced by Council Member Mealy

April 19, 1942 – June 13, 2012

Jerry V. Burns was the pastor and founder of the Open Door Church of God in Christ for 36 years. He opened a food pantry and soup kitchen serving approximately 3,000 people on a weekly basis. The church also provided biblical studies, counseling sessions, clothing, food and donated items to the community. He received the Communitarian Award for administering food, the Partnership for the Homeless for outstanding service, was nominated for the Mayor's Volunteer Service Award and received the Religious Award for community ministry. He also received citations from Brooklyn Borough President Howard Golden, Mayor Giuliani and the 81<sup>st</sup> Precinct.

#### **Section 33. Henry McCoy Jr. Way**

Introduced by Council Member Miller

December 24, 1926 – June 17, 2013

Hon. Henry McCoy Jr. was a resident of St. Albans for 42 years. He served in the United States Army and later went to work for the United States Post Office. In 1957, he was appointed to the New York City Police Department, where he served for 23 years before retiring as a Lieutenant in 1981. He served the department in various capacities including commanding officer and coordinator of youth division activities for the Borough of Manhattan, and citywide coordinator for the Special Court Diversion Project which steered youth away from anti-social behavior into constructive activity. In 1981, he was appointed a City Marshal, and served for 11 years. He established the United for Progress Democratic Club in 1993, was a board member and Vice President of the Guy R. Brewer United Democratic Club, a member of the United Black Men of Queens, a Life Member of the Guardians Association of the New York City Police Department, a Life Member of Omega Psi Phi Fraternity, Inc., a former member of the State of New York Police Juvenile Officers Association and a chief delegate of the Federation of Negro Civil Service Workers. He was president of Youth and Tennis, Inc., a non-profit organization that provides year round instruction and programs for junior tennis and youth development in public parks and schools. He was the recipient of numerous awards and accolades, including the Robert Couche Senior Center's Distinguished Citizen Award, the Congressional Achievement Award, the Distinguished Service

Award, the Community Leader Award, and the New York City Police Department's Achievement Award.

#### **Section 34. Kenneth Anthony Nugent Way**

Introduced by Council Member Miller

April 18, 1931 – August 20, 1971

Kenneth Anthony Nugent was killed in the line of duty trying to stop a robbery that occurred at a luncheonette in Hollis, Queens. He was a member of the United States Marine Corps during the Korean War and later served as a New York City Police Officer. He was assigned to the 103<sup>rd</sup> Precinct in Jamaica, Queens.

#### **Section 35. Kevin Lamont Miller Jr. Way**

Introduced by Council Member Miller

December 24, 1995 – October 2, 2009

Kevin Lamont Miller Jr. was killed in an accidental shooting between gang members. He was a member of the New Jerusalem Baptist Church, a leader of its Youth Ministry and Bible Study Class. As a result of his death, the KLM Jr. Foundation was formed in 2010, a non-profit organization that provides mentoring, workshops, seminars, recreation and community events to steer the youth away from drugs and violence. His death also brought other groups to get involved in raising awareness such as the King of Kings Foundation, Gun Buy Back Programs and the Festivals of Praise.

#### **Section 36. Kalyana Ranasinghe Way**

Introduced by Council Member Palma

Kalyana Ranasinghe was killed in the line of duty when he was struck by a street-cleaning truck in Manhattan. He was an NYPD traffic officer who was writing parking tickets when he was killed.

#### **Section 37. Ann Maggio Way**

Introduced by Council Member Reynoso

1922 – 2013

Ann Maggio was a teacher at St. Aloysius. She served as the president of Citizens for a Better Ridgewood, a member of Community Board 5, president of the Suydam Street Block Association, and a member of the Onderdonk Civics' board of directors. She fought for capital improvement projects at area parks to pressure the city to keep Grover Cleveland High School open, which was successful. She received many accolades over the years, one of them being the Queens Heroine Award in March 2004 – as well as a certificate from Queens Borough President Helen Marshall in 2009 for her then 10 years of service on CB 5. She helped transform the Grover Cleveland athletic field decades ago from a hangout for drug users to a recreational area.

#### **Section 38. Max Bond Way**

Introduced by Council Member Rodriguez

1935 – February 18, 2009

J. Max Bond was a prominent African-American architect who served as head of the Architects Renewal Committee of Harlem. In 1970, he founded the firm of Bond Ryder & Associates which was responsible for the design of the Martin Luther King Jr. Center for Nonviolent Social Change in Atlanta, the Birmingham Civil Rights Institute in Alabama and the Schomburg Center for Research in Black Culture in Harlem. Later, the firm merged with Davis, Brody & Associates after Ryder's retirement in 1990. He became a partner at the newly combined firm of Davis Brody Bond, bringing over nine architects to join the nearly 100 at Davis, Brody, which had been best known for its work at Manhattan residential developments at Riverbend Houses, Waterside Plaza and Zeckendorf Towers. He was responsible for the museum component at the National September 11 Memorial and Museum at the World Trade Center site. He served as chairman of the architecture division at the Columbia University Graduate School of Architecture and Planning from 1980 to 1984 and was dean at the City College of New York School of Architecture and Environmental Studies from 1985 to 1992. He also served as a member of the New York City Planning Commission from 1980 to 1986.

#### **Section 39. Jacob Birnbaum Way**

Introduced by Council Member Rodriguez

December 10, 1926 – April 9, 2014

Jacob Birnbaum founded the Student Struggle for Soviet Jewry and is considered the father of the Movement to Free Soviet Jewry. He was born in Hamburg, Germany, and after Hitler came to power in 1933, his family moved to London. He worked with survivors of Nazi concentration camps and Soviet labor camps, and with North African Jews who had fled the civil war in Algeria. He moved to New York in 1964 and soon started his campaign to help Soviet Jews. He orchestrated the movement to free Soviet Jews with student demonstrations at the Soviet Mission to the United Nations beginning in 1964. On April 27, 1964, in the Philosophy Hall on the Columbia University campus, around 200 students from Yeshiva University, the Jewish Theological Seminary, Queens College and Columbia gathered to plan the May Day protest. The May Day protest consisted of a thousand young men and women, almost all Jewish, who answered his summons who marched silently in two neat rows for four hours in the conservative clothes they wore to synagogue. Other demonstrations, some of which attracted as many as 3,000 protesters, were held on Jewish holidays and every rally included posters declaring "Let my people go," the line from Exodus 9:1 that became the clarion call of the movement. His demand was free emigration, not just an easing of restrictions. He

publicized the cases of individual Jews in Russia, despite mainstream organizations' worries that this might endanger them. He tried to expose Soviet anti-Semitism and hypocrisy, in the belief that Moscow was more sensitive to international opinion than many thought. He lobbied Washington, and personally conveyed his support to Soviet "refuseniks" who protested being denied permission to emigrate. His grass-roots movement contributed to legislation that eventually helped liberalize Moscow's emigration policies, an issue that President Ronald Reagan personally pressed the Soviet leader Mikhail S. Gorbachev on. As a result, more than 1.5 million Soviet Jews were allowed to move to Israel and elsewhere.

#### **Section 40. Stanley Jay Way**

Introduced by Council Member Rose

Died October 22, 2014

Stanley Jay was a former college professor in the Performing and Creative Arts Department at Staten Island Community College. He was co-founder, along with Harold "Hap" Kuffner of Randall Manor, of Mandolin Brothers which became a supplier of fine instruments to such famous musicians as Bob Dylan, Bruce Springsteen, Jimmy Buffett, Judy Collins, The Edge (U2), and Paul Simon. Mandolin Brothers opened in 1971 and is known world-wide and brought George Harrison to Staten Island to buy a pre-war National ukulele, and also Paul McCartney had his famous Hofner Violin Bass, the primary instrument he used with The Beatles, repaired there and later said in an interview in Bass Player Magazine "My bass never played in tune but I brought it to Mandolin Brothers and they set it straight." In 1976 singer-songwriter Joni Mitchell made a double purchase at the retail institution and was inspired, on her way back to the City on the Staten Island Ferry to write a song that begins with the line "I went to Staten Island, Sharon, to buy myself a mandolin." This mention in an introspective, auto-biographical song put Mandolin Brothers on the map. It appears on Ms. Mitchell's album Hejira (1976) and again in a retrospective album titled Songs of a Prairie Girl. He served a three year term on the Board of Directors of the Staten Island Council of the Arts in the 1970s and was a strong supporter of the Arts on Staten Island. In 1980, he and Harold "Hap" Kuffner met Ned Steinberger and, along with the designer-inventor and reinforced plastics pioneer Robert Young of Mamaroneck, created Steinberger Sound Corp., makers of a revolutionary, all-graphite composite bass and guitar that became one of the most famous recording industry instruments of that decade. Demand for the original product was strong and today those solid body electric instruments are collectibles whose market value continues to increase. The Steinberger Bass won 5 industrial design awards including "Best Of" in Time Magazine in 1981. Jay was featured on radio and television programs on all three major networks, NPR, the BBC and History Detectives, and quoted in articles in such magazines as Forbes, The New York Times and the Wall Street Journal. Mandolin Brothers was named "Best Guitar Shop in New York" by both New York Magazine and The Village Voice. In March 2014 the firm was honored by a feature article in Guitar Aficionado Magazine.

#### **Section 41. Battalion Chief Charles L. Kasper Way**

Introduced by Council Member Rose

October 27, 1946 – September 11, 2001

Battalion Chief Charles L. Kasper was killed in the line of duty on September 11, 2001.

#### **Section 42. Vincent C. Pompa Way**

Introduced by Council Member Rose

Vincent C. Pompa was a World War II veteran and community activist and served as president of Mariners Harbor Civic Association. He served in the United States Navy, from 1944 until 1946 and later was a chemist for the Carter Wallace Company until he retired in 1992. He founded and was the president of the board of directors of Beacon Christian Community Health Center, president of Mariners Harbor AARP, and an active member of Community Board 1. He also served as a Eucharistic minister at St. Clement/ St. Michael R.C. Parish and Chaplain of the Five Star Post of the American Legion, which he belonged to for 47 years. He served as president of the Mariners Harbor Civic Association for 11 years and earned many citations and proclamations from elected officials. In his leadership role with the Mariner's Harbor Civic Association, he fought for improvements such as local traffic rerouting, business development, the creation of the park space near Goethals Bridge entrance, the move of the US Post Office from Richmond Terrace to its more centralized and accessible location on Forest Avenue and the library branch in Mariner's Harbor.

#### **Section 43. Cooper Stock Way**

Introduced by Council Member Rosenthal

Cooper Stock was 9 years-old when he was struck and killed by a taxi cab driver who failed to yield to a pedestrian. His tragedy called for legislators to review legislation that would amend the city's administrative code to allow, pending an investigation, for suspension and automatic revocation of a TLC license if a driver kills or maims someone as a result of a failure to yield.

#### **Section 44. PCS Way**

Introduced by Council Member Rosenthal

This co-naming will commemorate the Professional Children's School's 100<sup>th</sup> Anniversary.

#### **Section 45. Barbara Dattilo Way**



Introduced by Council Member Treyger

January 15, 1950 – April 8, 2014

Barbara Dattilo was actively involved in Our Lady of Grace's parish and school through a variety of programs and activities. In the early 1990s, she became involved with the parish's Rite of Christian Initiation as Adults (RCIA) program, in which she served as a volunteer helping mostly young adults and teens who wanted to learn about the Catholic faith and become initiated members of the church. In volunteering for RCIA, Barbara learned that many of the young adults and teens in the program often had been troubled through their childhoods and adolescent years, due to divorce, substance abuse, domestic violence, life-threatening illnesses, and serious financial problems. In 1997, with the help of Father Dominick Cutrone, who was then Pastor of Our Lady of Grace Church, and Father James Tighe, she founded the Youth Ministry program in the parish, called Teen Group, to help and mentor the troubled and broken teens, including those she encountered through the RCIA program. She became a certified youth minister and also received a certificate in lay ministry from the Roman Catholic Diocese of Brooklyn and Queens in order to serve as the Director of the program, a position she held from Teen Group's creation until her death. She also launched Teen Group to give young people a chance to give back to their community and to their parish through service projects. The group aims to provide service for the parish and to the community by helping those in need. The Youth Ministry program spearheaded projects and initiatives which aimed to help the sick, elderly, homeless, and poor. Ms. Dattilo, as the Director, organized these community service activities which included shoveling snow in the winter for elderly residents, making sandwiches for the homeless, serving hot meals in the parish hall for the less fortunate, sending gifts and cards to veterans and soldiers overseas and raising monies for charities that help the poor and victims of natural disasters. The teens also assist the sick, elderly and disabled with tasks including shopping, cleaning, and laundry. In addition, the assist at the annual Anointing Mass for those who cannot regularly attend on their own and at the Lenten Soup Supper, which proceeds donated to a local charity each year. These initiatives have all combined to greatly improve the quality of life for many elderly, sick and disabled community members. Teen Group also provided guidance, counseling, and direction to hundreds of local teenagers throughout the southern Brooklyn community. Through the Teen Group program, Ms. Dattilo was able to give the teens of the greater southwest Brooklyn community a place where they could learn how to make healthy decisions and learn to grow into successful young adults. Ms. Dattilo was known for her patience, understanding, compassion, and unconditional love, which she generously offered to all those who walked through the doors of the Teen Group program.

#### **Section 46. Brother Jack SanFilippo Way**

Introduced by Council Member Treyger

Died in December 1984

Jack A. SanFilippo, known as "Brother Jack," founded the Coney Island Gospel Assembly in 1956. Before its founding, Jack preached on the streets of Coney Island and was known for his practice of walking around the community preaching and praying for anyone in need. His creed was: "To all who are weary and need rest, to all who are sick and need healing, to all who mourn and want comfort, to all who sin and need a Savior, and to whosoever will come"; words that can be found posted on the outside of the church to this day. The Coney Island Gospel Assembly has been open 24-hours a day, seven days a week since its founding. It provides a myriad of services including crisis intervention, counseling, and placement services for drug addicts. Throughout his life, he helped troubled teens, single mothers, and many others in need. As a pastor, he visited the sick, the incarcerated, and those institutionalized to provide spiritual guidance and counseling. He interceded with government agencies on behalf of the people of Coney Island, he would go to court and speak on someone's behalf and also performed hundreds of funerals, weddings and baptisms. In 2008, A.I.M. Afterschool Program was developed in his honor and memory which provides life skills training for young people. He had a vision of an all-boys high school in Coney Island that would focus on building self-esteem and helping young people to make wise choices and understand the importance of education in a non-competitive environment. Although this vision never came to fruition, the A.I.M. Afterschool program was an attempt to put the spirit of this vision into practice. He was a role model to hundreds of children and found ways for youth to occupy their time in a safe and productive manner after school. The Coney Island Gospel Assembly continues to be a safe haven for Coney Island residents, who still hold "Brother Jack" in high regard. Currently, the Coney Island Gospel Assembly is led by his daughter, Pastor Constance SanFilippo-Hulla.

#### **Section 47. Detective WenJian Liu Way**

Introduced by Council Members Treyger and Levine at the request of the Mayor

WenJian Liu was killed in the line of duty with his partner Officer Rafael Ramos.

#### **Section 48. Jack Maple Place**

Introduced by Council Member Ulrich

September 23, 1952 – August 4, 2001

Jack Maple was the Deputy Commissioner for Crime Control Strategies in the mid-1990s who is best known for his creation of COMPSTAT and brought innovation, accountability and new crime fighting techniques to the NYPD. COMPSTAT has become innovative in police departments across the nation and has been adopted by almost all police departments in large cities in America. He was one of the truly great innovators in law enforcement who helped to make New York City the safest large city in America. COMPSTAT won an award from the Ford Foundation as an innovation in American government and has been adopted in scores of other cities such as New Orleans, Newark and Baltimore.

#### **Section 49. Benjamin Fried Boulevard**

Introduced by Council Member Vallone

Benjamin Fried was an activist, a volunteer and a businessman in Bayside. He ran Benn's Hardware store until 2001. He fought the constant increase in parking meter fees since they were \$.10 an hour. During the 1970's, he was successful in keeping FDNY Engine Co. 306 open by organizing the biggest rally in Bayside and later became the chairman of the 306 Firehouse Committee. He was also instrumental in the opening of the 64<sup>th</sup> Avenue and Springfield Boulevard Firehouse. As a result of his devotion to the FDNY, he was given the honorary title of Deputy Battalion Chief. He founded the Bell Boulevard Merchants Association, as well as the Annual Children's Holiday Parade on Bell Boulevard, convinced the Sanitation Department that they should not summons the business owners for dirty sidewalks because this problem was the result of Sanitation not cleaning the streets and he implemented and collected funding for the holiday lights on Bell Boulevard.

#### **Section 50. Robert C. Lohnes Way**

Introduced by Council Member Vallone

Robert C. Lohnes served in the United States Navy as a Seamen First Class. He was awarded the National Defense Medal. He was a New York City Police Officer from 1962 until 1996 as a 2<sup>nd</sup> Grade Detective. He was twice awarded for Excellent Police Duty. He served on the Whitestone Community Volunteer Ambulance from 1976 until 1986 and also was a member and scoutmaster of the Boy Scouts of America on which he was a member from 1978 until 2014. He also volunteered with 9/11 Rescue Recovery and Identification.

#### **Section 51. Sunnyside Garden Arena Way**

Introduced by Council Member Van Bramer

The Sunnyside Garden Arena was originally built as a tennis club by Jay Gould in the 1920s. The club was sold in 1945 and turned into an arena that staged boxing matches, as well as wrestling, roller derby and kick-boxing until it was shut down in 1977. Emile Griffith and Gerry Cooney are among the boxers that fought at the 2,000-seat arena, as well as the actor Tony Danza. The Sunnyside Arena was often used as a stepping stone by New York area fighters before they moved on to larger venues, such as Madison Square Garden. One of the biggest events held at the venue was a John F. Kennedy presidential rally in 1960. In addition, proms were held there and the movie Mr. Universe was filmed there. The building was sold and torn down in 1977.

#### **Section 52. Alice Cardona Way**

Introduced by Council Member Van Bramer

Alice Cardona was a leader in the New York Puerto Rican and Latino community who advocated for women's rights, minority rights, and bilingual education. She was the author of Puerto Rican Women Achievers in New York City, and was the first Latina to receive the Susan B. Anthony Prize in 1983 by the National Organization for Women. She was presented with numerous community awards for her work with women and children. During the 1960s, she served as program coordinator for United Bronx Parents, overseeing programs that facilitated parental involvement in the school system and youth programs. She was also involved with the first Head State program in New York. She worked at ASPIRA as a counselor for youth and as director of counseling program for parents and students. From 1983 to 1995, she served as the assistant director of the New York State Division for Women during the administration of New York Governor Mario Cuomo. She advocated for bilingual education and women, including those in prison. She also worked to fight HIV/AIDS, breast cancer, and domestic violence. She was the director of the Puerto Rican Association for Community Affairs and cofounder of Atrévete, a voter registration and political participation program. She was on the board of several organizations, including the National Women's Political Caucus, the National Association for Bilingual Education, and the Puerto Rican Educators Association. She was also a founding member of organizations such as the National Latinas Caucus, the Puerto Rican Latino Education Round Table, the National Conference for Puerto Rican Women and HACER/Hispanic Women's Center.

#### **Section 53. Luke Adams Way**

Introduced by Council Member Van Bramer

1938 – November 10, 2014

Luke Adams was involved in daily community work for over 40 years. He was a reporter and photographer for the Woodside Herald for many years and worked on the Gateway Restoration project, which was responsible for the creation of the Sunnyside Arch that has become Sunnyside's iconic symbol. He received many recognitions and honors over the past 20 years. The Luke Adams Sunnysider of the Year Community Service Award was established in 2011 to honor his service to the neighborhood. He was instrumental in building up institutions in Sunnyside, such as the Chamber of Commerce, the Lions Club, food pantries and Gateway, which was the source of the Sunnyside Arch and more recently, Sunnyside Artists. He organized demonstrations on Queens Boulevard for more police and created the first comprehensive Sunnyside website in 1991. He was referred to as the "best promoter in Queens" in response to his numerous campaigns to boost tourism in the borough. He earned \$7,000 for local food pantries, created Lions fundraising book with recipes from Hillary Clinton and Geraldine Ferraro, wrote for the Woodside Herald for 30 years, had his own newsletter, "Street Talk", served as president of Sunnyside Woodside Lions Club, served as vice president of Sunnyside Artists, served as



president of the Sunnyside Chamber of Commerce, compiled “Good Old Days” photos of historic Sunnyside, created “Night at the Castle”, served as Grand Marshal of the Kiwanis Flag Day Parade, was the recipient of the first “Luke Adams Sunnysider of the Year Award”, and donated to numerous charities, including Boys Scouts of America.

**Section 54. Pecola and Nicholas Rodriguez Way**

Introduced by Council Member Williams

Pecola Rodriguez (November 28, 1916 – July 26, 2014) worked as a staff nurse in Detroit and later moved to Brooklyn where she worked at Sydenham Hospital in Harlem from 1949 until 1958. He also worked at Cumberland Hospital in Brooklyn as a Hospital Administrator from 1958 until her retirement in 1982. She was a lifetime member of the New York State Nurses Association. She joined the Cornerstone Baptist Church in the late 1940s and became the first President of the Business and Professional Women’s Group where she was instrumental in bringing the Ramp Project and the Wheels for Christ Project to fruition and received their special recognition award in 2004. She was the president of the Paerdegat Park Block Association and actively served on the Park and Library committees for CB17 and received numerous honors and awards including Soror of the Year from the Omicron Chapter of the Chi Eta Phi Sorority and the Paerdegat Park Committee Community Service Award. She contributed twenty-seven years to the success of the National Grady Nurses Conclave as the public relations coordinator. She designed the medal for the Ludie Andrews Distinguished Service Award. Ludie Andrews was the organizer and director of the Training School for Colored Nurses at Grady Hospital in Georgia.

Nicholas Rodriguez (September 10, 1906 – July 20, 1995) was born in Panama where, as a teenager, he organized the first Jazz Group in Panama and later was among the first wave of Cuban immigrants to become heavily involved in American jazz. He came to New York in 1928 and began playing with Louis Armstrong, Benny Carter, Chick Webb, Cab Calloway and Don Redmond. He appeared at leading supper clubs and theaters in the United States, the Philippines and several East African cities and recorded for several well-known recording companies of his time.

**Section 55. Debbie Bowden Way**

Introduced by Council Member Cohen

Debbie Bowden was a Bronx resident and served her community for over 50 years in Council District 11, Community Board 8, and the neighborhoods of Riverdale, Kingsbridge, and Spuyten Duyvil. She left an enduring and lasting legacy of good acts in many sectors of life: aging, education, environment, public safety, transportation and zoning. She cared passionately about people, organizations and businesses. She served on Bronx Community Board No. 8 for 25 years, specifically on the Education Committee for 17 of those years. She served as co-chair of the Parents Association at P.S. 24 and fought to keep housing off the empty land directly in front of JFK High School. She was involved in organizing an all-night vigil at City Hall to participate in the fight against Mayor Koch’s desire for the housing instead of the Educational Park it was intended to become and lobbied against the reduction of New York Public Libraries cuts of hours which many Mayors put in their proposed budgets. She also led the fight to retrieve the annex for PS24 after DOE allowed out of district schools to use it creating overcrowding in the main building. She was also a member of a community committee to fight for the creation of the high school at JHS 141 which was later named Riverdale/Kingsbridge Academy.

**Section 56. Margaret Mack Triangle**

Introduced by Council Member Cohen

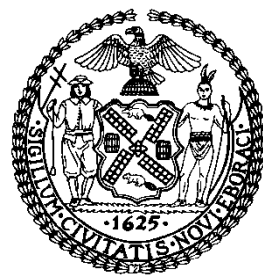
Margaret Mack lived most of her life in the Tracey Towers, a Mitchell-Lama affordable housing building and the largest rental complex in the Bronx. Here, she was a leader amongst her neighbors, serving on the Tracey Towers Tenants Association for many years. She championed her fellow resident’s causes and over the years fought and won issues, including but not limited to: no heat or hot water, roof leakage, dirty hallways, faulty elevators, other health and safety issues, as well as crime. Her leadership in Tracey Towers was exemplified when she fought for over two years over a proposed rent hike by the management corporation. Upon learning of the proposed rent increases in 2011, she mobilized Tracey Towers’ tenants and revived the “Committee for Survival”, a group dating back to the early 1990’s. While ultimately not completely halting the rent increase, in part due to her efforts that culminated in bringing the case to court, the judge trimmed the hike for many elderly and fixed-income tenants who reside in the 869 units. Her passion for civic engagement and serving her community extended beyond her building, she also served her community at-large, as a member of Bronx Community Board No. 7. In this position, she was able to advocate on behalf of the issues within her community which were close to her heart and are of great concern in the Norwood neighborhood, being primarily her love of children, local schools, educational centers, and libraries, as well as senior-related issues. She was also able to bring about effective change in her role as Chair of the Board’s Parks and Recreation Committee, for which she also served for many years. She was also very involved in activities at her parish, such as volunteer work and community outreach in Norwood and other areas throughout the city.

**Section 57. The REPEAL of Sections 14, 15, 24, 25, 40 and 62 of Local Law number 34 for the year 2014.** This section repeals Sections 14, 15, 24, 25, 40 and 62 of Local Law number 34 for the year 2014.

**Section 58. The REPEAL of Sections 34 and 53 of Local Law number 131 for the year 2013.** This section repeals Sections 34 and 53 of Local Law number 131 for the year 2013.

**Section 59. The REPEAL of Section 46 of Local Law number 50 for the year 2013.** This section repeals Section 46 of Local Law number 50 for the year 2013.

(The following is the text of the Fiscal Impact Statement for Int. No. 620:)



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

**PRE-CONSIDERED INTRO. NO:  
COMMITTEE: Parks and Recreation**

**TITLE:** A Local Law in relation to the naming of fifty-six thoroughfares and public places.

**SPONSOR(S):** By Council Members Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Crowley, Dickens, Espinal, Gentile, Gibson, Greenfield, Ignizio, King, Lancman, Lander, Levine, Maisel, Matteo, Mealy, Miller, Palma, Reynoso, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vallone, Van Bramer and Williams (in conjunction with the Mayor)

In relation to the naming of 56 thoroughfares and public places, Dave Reid Jr. Place, Borough of the Bronx, Prince Joshua Avitto Way, Borough of Brooklyn, Rev. Wenceslao Martinez Way, Borough of Brooklyn, José Francisco Peña Gomez Boulevard, Borough of the Bronx, DJ Scott la Rock Boulevard, Borough of the Bronx, Luis Muñoz Marín Way, Borough of the Bronx, Basil Paterson Boulevard, Borough of the Bronx, Oscar de la Renta Boulevard, Borough of the Bronx, Frank T. Modica Way, Borough of Manhattan, Norman Buchbinder Way, Borough of Manhattan, Bronx Science Boulevard, Borough of the Bronx, Archbishop Iakovos of America, Borough of Queens, Steven Frosch Way, Borough of Queens, James Baldwin Place, Borough of Manhattan, Detective Rafael Ramos Way, Borough of Brooklyn, Frank J. Santo Way, Borough of Brooklyn, Judge Hansel L. McGee Place, Borough of the Bronx, Bishop Robert Green Way, Borough of the Bronx, Angelo “Chubby” Campanella, Borough of Brooklyn, Rabbi Weissmandl Way, Borough of Brooklyn, Jimmy Zappalorti Lane, Borough of Staten Island, FDNY Lt. Matt Ambelas Way, Borough of Staten Island, Milton Alexander Way, Borough of the Bronx, Bishop Ignatius A. Catanello Way, Borough of Queens, Barry Weinbrom Way, Borough of Brooklyn, Lydia Buffington Way, Borough of Brooklyn, John Cortese Way, Borough of Brooklyn, George Carlin Way, Borough of Manhattan, Barnard Way, Borough of Manhattan, Edwin Thomas Way, Borough of Brooklyn, William Creech Vietnam Veteran Way, Borough of Staten Island, Dr. Jerry V. Burns Way, Borough of Brooklyn, Henry McCoy Jr. Way, Borough of Queens, Kenneth Anthony Nugent Way, Borough of Queens, Kevin Lamont Miller Jr. Way, Borough of Queens, Kalyana Ranasinghe Way, Borough of the Bronx, Ann Maggio Way, Borough of Queens, Max Bond Way, Borough of Manhattan, Jacob Birnbaum Way, Borough of Manhattan, Stanley Jay Way, Borough of Staten Island, Battalion Chief Charles L. Kasper Way, Borough of Staten Island, Vincent C. Pompa Way, Borough of Staten Island, Cooper Stock Way, Borough of Manhattan, PCS Way, Borough of Manhattan, Barbara Dattilo Way, Borough of Brooklyn, Brother Jack SanFilippo Way, Borough of Brooklyn, Detective WenJian Liu Way, Borough of Brooklyn, Jack Maple Place, Borough of Queens, Benjamin Fried Boulevard, Borough of Queens, Robert C. Lohnes Way, Borough of Queens, Sunnyside Garden Arena Way, Borough of Queens, Alice Cardona Way, Borough of Queens, Luke Adams Way, Borough of Queens, Pecola and Nicholas Rodriguez Way, Borough of Brooklyn, Debbie Bowden Way, Borough of the Bronx, Margaret Mack Triangle, Borough of the Bronx and the repeal of sections 14, 15, 24, 25, 40 and 62 of local law number 34 for the year 2014, sections 34 and 53 of local law number 131 for the year 2013 and section 46 of local law number 50 for the year 2013.

**SUMMARY OF LEGISLATION:** The proposed law would add, through the posting of additional signs, the following new street names:

New Name	Present Name	Limits
Dave Reid Jr. Place	Longfellow Avenue	Between 173 <sup>rd</sup> Street and 174 <sup>th</sup> Street
Prince Joshua Avitto Way	None	At the southeast corner of Stanley Avenue and Schenck Avenue

Rev. Wenceslao Martinez Way	None	At the intersection of Williams Avenue and Hinsdale Street
José Francisco Peña Gomez Boulevard	None	At the intersection of Beach 130 <sup>th</sup> Street and Newport Avenue
DJ Scott la Rock Boulevard	None	At the intersection of 195 <sup>th</sup> Street and Kingsbridge Road
Luis Muñoz Marín Way	None	At the intersection of Kingsbridge Road and Jerome Avenue
Basil Paterson Boulevard	None	At the intersection of 195 <sup>th</sup> Street and Reservoir Avenue
Oscar de la Renta Boulevard	None	At the intersection of East Fordham Road and Creston Avenue adjacent to Muller Triangle
Frank T. Modica Way	Rutgers Street	Between South Street and Cherry Street
Norman Buchbinder Way	None	At the southeast corner of West 8 <sup>th</sup> Street and MacDougal Street
Bronx Science Boulevard	205 <sup>th</sup> Street	Between Goulden Avenue and Paul Avenue
Archbishop Iakovos of America	33 <sup>rd</sup> Street	Between Ditmars Boulevard and 23 <sup>rd</sup> Avenue
Steven Frosch Way	67 <sup>th</sup> Drive	Between 78 <sup>th</sup> Street and 79 <sup>th</sup> Street
James Baldwin Place	128 <sup>th</sup> Street	Between Madison Avenue and 5 <sup>th</sup> Avenue
Detective Rafael Ramos Way	Ridgewood Avenue	Between Shepherd Avenue and Highland Place
Frank J. Santo Way	None	At the southwest corner of 82 <sup>nd</sup> Street and 13 <sup>th</sup> Avenue
Judge Hansel L. McGee Place	East 165 <sup>th</sup> Street	Between Boston Road and Forest Avenue
Bishop Robert Green Way	3 <sup>rd</sup> Avenue	Between 171 <sup>st</sup> Street and St. Paul's Place
Angelo "Chubby" Campanella	None	At the southwest corner of 77 <sup>th</sup> Street and 21 <sup>st</sup> Avenue
Rabbi Weissmandl Way	50 <sup>th</sup> Street	Between 10 <sup>th</sup> Avenue and 20 <sup>th</sup> Avenue
Jimmy Zappalorti Lane	None	At the intersection of Androvette Street and Kreisler Street
FDNY Lt. Matt Ambelas Way	None	At the intersection of Ramblewood Avenue and Oakdale Street
Milton Alexander Way	None	At the intersection of Asch Loop and Bartow Avenue
Bishop Ignatius A. Catanello Way	74 <sup>th</sup> Avenue	Between 175 <sup>th</sup> Street and Utopia Parkway
Barry Weinbrom Way	5 <sup>th</sup> Street	Between 6 <sup>th</sup> Avenue and 7 <sup>th</sup> Avenue
Lydia Buffington Way	Luquer Street	Between Clinton Street and Hamilton Avenue
John Cortese Way	7 <sup>th</sup> Avenue	Between 7 <sup>th</sup> Street and 8 <sup>th</sup> Street
George Carlin Way	400 block of 121 <sup>st</sup> Street	Between Morningside Drive and Amsterdam Avenue
Barnard Way	None	At the intersection of 116 <sup>th</sup> Street and Broadway
Edwin Thomas Way	None	At the intersection of East 49 <sup>th</sup> Street and Fillmore Avenue
William Creech Vietnam Veteran Way	None	At the intersection of Felton Street and Fahy Avenue
Dr. Jerry V. Burns Way	Greene Avenue	Between Patchen Avenue and Broadway
Henry McCoy Jr. Way	None	At the intersection of Ovid Place and Dormans Road
Kenneth Anthony Nugent Way	None	At the intersection of 91 <sup>st</sup> Avenue and 188 <sup>th</sup> Street

Kevin Lamont Miller Jr. Way	None	At the intersection of Springfield Boulevard and Linden Boulevard
Kalyana Ranasinghe Way	None	At the intersection of Metropolitan Avenue and Wood Road
Ann Maggio Way	Suydam Street	Between Cypress Avenue and the Grover Cleveland Athletic Field
Max Bond Way	None	At the southeast corner of St. Nicholas and 162 <sup>nd</sup> Street
Jacob Birnbaum Way	Cabrini Boulevard	Between 186 <sup>th</sup> Street and 187 <sup>th</sup> Street
Stanley Jay Way	None	At the northeast corner of Forest Avenue and Oakland Avenue
Battalion Chief Charles L. Kasper Way	None	At the northeast corner underneath the Bard Avenue sign and Amelia Court
Vincent C. Pompa Way	None	At the northwest corner of Maple Parkway and Forest Avenue
Cooper Stock Way	None	Northwest corner of West End Avenue and West 97 <sup>th</sup> Street (300 Block)
PCS Way	None	At the southwest corner of Columbus Avenue and West 60 <sup>th</sup> Street and the southeast corner of Amsterdam Avenue and West 60 <sup>th</sup> Street (100 Block)
Barbara Dattilo Way	None	At the intersection of Avenue W and East 2 <sup>nd</sup> Street
Brother Jack SanFilippo Way	None	At the intersection of West 29 <sup>th</sup> Street and Neptune Avenue
Detective WenJian Liu Way	West 6 <sup>th</sup> Street	Between Avenue S and Avenue T
Jack Maple Place	None	At the intersection of 108 <sup>th</sup> Street and Park Lane South
Benjamin Fried Boulevard	None	At the northwest corner of 43 <sup>rd</sup> Avenue and Bell Boulevard
Robert C. Lohnes Way	145 <sup>th</sup> Place	Between 15 <sup>th</sup> Avenue and 17 <sup>th</sup> Avenue
Sunnyside Garden Arena Way	None	At the intersection of 45 <sup>th</sup> Street and Queens Boulevard
Alice Cardona Way	56 <sup>th</sup> Street	Between Woodside Avenue and Skillman Avenue
Luke Adams Way	46 <sup>th</sup> Street	Between Queens Boulevard and Greenpoint Avenue
Pecola and Nicholas Rodriguez Way	East 40 <sup>th</sup> Street	Between Foster Avenue and Farragut Road
Debbie Bowden Way	Independence Avenue	Between West 235 <sup>th</sup> Street and West 236 <sup>th</sup> Street
Margaret Mack Triangle	None	40 West Mosholu Parkway South

**EFFECTIVE DATE:** This local law would take effect immediately upon its enactment into law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2015

**FISCAL IMPACT STATEMENT:**

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
<b>Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures</b>	<b>\$16,100</b>	<b>\$0</b>	<b>\$16,100</b>
<b>Net</b>	<b>\$16,100</b>	<b>\$0</b>	<b>\$16,100</b>

**IMPACT ON REVENUES:** There would be no impact on revenues resulting from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** This legislation would require the installation of fifty-six new street signs at the cost of \$287.50 each. As such, the total cost of enacting this legislation would be approximately \$16,100.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

**SOURCE OF INFORMATION:** New York City Council Finance Division

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

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director, New York City Council Finance Division  
Rebecca Chasan, Assistant Counsel, New York City Council Finance Division

**LEGISLATIVE HISTORY:** This legislation will be considered by the Committee on Parks and Recreation as a Pre-considered Intro. on January 20, 2015. Upon a successful vote by the Committee, the bill would be introduced and submitted to the full Council for a vote on January 22, 2015.

Fiscal Impact Schedule

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
Dave Reid Jr. Place	1	37.5	250	287.50
Prince Joshua Avitto Way	1	37.5	250	287.50
Rev. Wenceslao Martinez Way	1	37.5	250	287.50
José Francisco Peña Gomez Boulevard	1	37.5	250	287.50
DJ Scott la Rock Boulevard	1	37.5	250	287.50
Luis Muñoz Marín Way	1	37.5	250	287.50
Basil Paterson Boulevard	1	37.5	250	287.50
Oscar de la Renta Boulevard	1	37.5	250	287.50
Frank T. Modica Way	1	37.5	250	287.50
Norman Buchbinder Way	1	37.5	250	287.50
Bronx Science Boulevard	1	37.5	250	287.50
Archbishop Iakovos of America	1	37.5	250	287.50
Steven Frosch Way	1	37.5	250	287.50
James Baldwin Place	1	37.5	250	287.50
Detective Rafael Ramos Way	1	37.5	250	287.50
Frank J. Santo Way	1	37.5	250	287.50
Judge Hansel L. McGee Place	1	37.5	250	287.50
Bishop Robert Green	1	37.5	250	287.50

Way				
Angelo “Chubby” Campanella	1	37.5	250	287.50
Rabbi Weissmandl Way	1	37.5	250	287.50
Jimmy Zappalorti Lane	1	37.5	250	287.50
FDNY Lt. Matt Ambelas Way	1	37.5	250	287.50
Milton Alexander Way	1	37.5	250	287.50
Bishop Ignatius A. Catanello Way	1	37.5	250	287.50
Barry Weinbrom Way	1	37.5	250	287.50
Lydia Buffington Way	1	37.5	250	287.50
John Cortese Way	1	37.5	250	287.50
George Carlin Way	1	37.5	250	287.50
Barnard Way	1	37.5	250	287.50
Edwin Thomas Way	1	37.5	250	287.50
William Creech Vietnam Veteran Way	1	37.5	250	287.50
Dr. Jerry V. Burns Way	1	37.5	250	287.50
Henry McCoy Jr. Way	1	37.5	250	287.50
Kenneth Anthony Nugent Way	1	37.5	250	287.50
Kevin Lamont Miller Jr. Way	1	37.5	250	287.50
Kalyana Ranasinghe Way	1	37.5	250	287.50
Ann Maggio Way	1	37.5	250	287.50
Max Bond Way	1	37.5	250	287.50
Jacob Birnbaum Way	1	37.5	250	287.50
Stanley Jay Way	1	37.5	250	287.50
Battalion Chief Charles L. Kasper Way	1	37.5	250	287.50
Vincent C. Pompa Way	1	37.5	250	287.50
Cooper Stock Way	1	37.5	250	287.50
PCS Way	1	37.5	250	287.50
Barbara Dattilo Way	1	37.5	250	287.50
Brother Jack SanFilippo Way	1	37.5	250	287.50
Detective WenJian Liu Way	1	37.5	250	287.50
Jack Maple Place	1	37.5	250	287.50
Benjamin Fried Boulevard	1	37.5	250	287.50
Robert C. Lohnes Way	1	37.5	250	287.50
Sunnyside Garden Arena Way	1	37.5	250	287.50
Alice Cardona Way	1	37.5	250	287.50
Luke Adams Way	1	37.5	250	287.50
Pecola and Nicholas Rodriguez Way	1	37.5	250	287.50
Debbie Bowden Way	1	37.5	250	287.50
Margaret Mack Triangle	1	37.5	250	287.50
	<b>56</b>	<b>\$2,100</b>	<b>\$14,000</b>	<b>\$16,100</b>

Accordingly, this Committee recommends its adoption..

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

MARK LEVINE, Chairperson; DARLENE MEALY, FERNANDO CABRERA, JAMES G. VAN BRAMER, ANDREW COHEN, ALAN N. MAISEL, MARK TREYGER; Committee on Parks and Recreation, January 20, 2015.

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

## GENERAL ORDER CALENDAR

Report for L.U. No. 164 &amp; Res. No. 560

**Report of the Committee on Land Use in favor of approving Application No. N 150102 ZRM submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution relating to Article IX, Chapter 8 (Special West Chelsea District) to expand the Special District and Article I, Chapter 4 (Sidewalk Café Regulations) to allow unenclosed sidewalk cafes in areas of the Special District, Borough of Manhattan, Community Board 4, Council District 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557) and was coupled in committee with the resolution shown below before being sent to the City Planning Commission by the Council for further review (see Reports of the Committee on Land Use in these Minutes), respectfully

## REPORTS:

SUBJECT

MANHATTAN CB - 4

N 150102 ZRM

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 8 (Special West Chelsea District) to expand the Special District, modify bulk regulations, amend street wall regulations, clarify rear yard provisions, and correct maximum building heights permitted in Subarea C and Article I, Chapter 4 (Sidewalk Café Regulations), to allow unenclosed sidewalk cafes in areas of the Special District within Community District 4.

INTENT

This zoning text amendment, in conjunction with the related zoning map action, would expand the Special West Chelsea District, modify bulk regulations in the rezoning area, amend street wall regulations for some corner lots, clarify rear yard provisions, correct maximum building heights permitted in Subarea C and allow unenclosed sidewalk cafes on wide streets in the Special West Chelsea District in Community District 4, Borough of Manhattan.

PUBLIC HEARING

DATE: January 13, 2015

Witnesses in Favor: Three      Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: January 13, 2015

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

In Favor: Weprin, Gentile, Garodnick, Reynoso, Torres, Ignizio

Against: None      Abstain: None

COMMITTEE ACTION

DATE: January 15, 2015

The Committee recommends that the Council approve the attached resolution.

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

Against: None      Abstain: None

FILING OF MODIFICATION WITH THE CITY PLANNING COMMISSION

The Committee's proposed modification was filed with the City Planning Commission on January 15, 2015. The City Planning Commission filed a letter dated January 20, 2015, with the Council on January 21, 2015, indicating that the proposed

modification is not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 560

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 150102 ZRM, for an amendment of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 8 (Special West Chelsea District) to expand the Special District and Article I, Chapter 4 (Sidewalk Café Regulations) to allow unenclosed sidewalk cafes in areas of the Special District within Community District 4, Borough of Manhattan (L.U. No. 164).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the City Planning Commission filed with the Council on January 2, 2015 its decision dated December 17, 2014 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 8 (Special West Chelsea District), and Article I, Chapter 4 (Sidewalk Café Regulations). This proposed text amendment, along with the related zoning map amendment, would expand the Special West Chelsea District, modify bulk regulations in the rezoning area, amend street wall regulations for some corner lots, clarify rear yard provisions, correct maximum building heights permitted in Subarea C and allow unenclosed sidewalk cafes on wide streets in the Special West Chelsea District (Application No. N 150102 ZRM), Community District 4, Borough of Manhattan (the "Application");

**WHEREAS**, the Application is related to Application C 150101 ZMM (L.U. No. 165), an amendment of the Zoning Map, Section No. 8b, by establishing a Special West Chelsea District (WCh) bounded by West 15th Street, Ninth Avenue, a line midway between West 15th Street and West Fourteenth Street, a line 325 feet easterly of Tenth Avenue, West Fourteenth Street, and Tenth Avenue, Borough of Manhattan, Community District 4;

**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 January 13, 2015;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 15DCP037M) issued on December 17, 2014 (the "Revised Negative Declaration");

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150102 ZRM, incorporated by reference herein, the Council approves the Decision with modifications.

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

Matter in underline is new, to be added.Matter in ~~strikeout~~ is to be deleted.Matter in **bold double underlined** is new, added by the Council.

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

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

**Article I  
GENERAL PROVISIONS**

\*\*\*

**Chapter 4  
Sidewalk Cafe Regulations**

\*\*\*

**14-40  
AREA ELIGIBILITY FOR SIDEWALK CAFES**

\*\*\*

**14-44  
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Manhattan		

\* \* \*

United Nations Development District	No	Yes
<u>West Chelsea District</u>	<u>No</u>	<u>Yes</u> <sup>5</sup>

<sup>1</sup>#Unenclosed sidewalk cafes# are allowed on Greenwich Avenue

<sup>2</sup>#Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway

<sup>3</sup>#Enclosed sidewalk cafes# are allowed in Subdistrict B

<sup>4</sup> #Unenclosed sidewalk cafes# are allowed on the east side of Malcolm X Boulevard between West 125th and West 126th Streets, on the west side of Malcolm X Boulevard between West 124th and West 125th Streets and on the east side of Fifth Avenue between East 125th and East 126th Streets

<sup>5</sup> #Unenclosed sidewalk cafes# are allowed only on #wide streets# except they are not allowed on the west side of Ninth Avenue between West 15<sup>th</sup> Street and West 16<sup>th</sup> Street

\*\*\*

**ARTICLE IX  
SPECIAL PURPOSE DISTRICTS**

\*\*\*

**Chapter 8  
Special West Chelsea District**

\*\*\*

**98-40  
SPECIAL YARD, HEIGHT AND SETBACK, AND MINIMUM DISTANCE BETWEEN BUILDINGS REGULATIONS**

**98-41  
Special Rear Yard Regulations**

The #yard# regulations of the underlying district shall apply, except as modified in this Section, 98-41. ~~that~~ In all districts, no #rear yard# regulations shall apply to any #zoning lot# that includes a #through lot# portion that is contiguous on one side to two #corner lot# portions and such #zoning lot# occupies the entire #block# frontage of the #street#. Where a #rear yard equivalent# is required by either Section 23-532 (Required rear yard equivalents) or Section 43-28 (Special Provisions for Through Lots), it shall be provided only as set forth in paragraph (a) of either of such Sections, as applicable. However, in M1-5 Districts, a #building# existing prior to [effective date of text amendment] may be #enlarged# pursuant to Section 43-28, paragraph (b), provided that such #building# is on a #zoning lot# located entirely within 150 feet of the west side of the High Line.

**98-42**

**Special Height and Setback Regulations**

\*\*\*

**98-423**

**Street wall location, minimum and maximum base heights and maximum building heights**

The provisions set forth in paragraph (a) of this Section shall apply to all #buildings or other structures#. Such provisions are modified for certain subareas as set forth in paragraphs (b) through (g) of this Section.

(a)On #wide streets#, and on #narrow streets# within 50 feet of their intersection with a #wide street#, the #street wall# shall be located on the #street line# and extend along such entire #street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section. ~~On #corner lots# with both #wide# and #narrow street# frontages, beyond 50 feet of their intersection with a #wide street#, the a #street wall# with a minimum height of 15 feet shall be located on the #narrow street line# between 50 and 100 feet from its intersection with a #wide street#. On #zoning lots# with only #narrow street# frontages, the #street wall# shall be located on the #street line# and extend along at least 70 percent of the #narrow street# frontage of the #zoning lot# up to at least the minimum base height specified in the table in this Section.~~

Where #street walls# are required to be located on the #street line#, recesses, not to exceed three feet in depth from the #street line#, shall be permitted on the ground floor where required to provide access to the #building#. Above a height of 12 feet, up to 30 percent of the #aggregate width of street walls# may be recessed beyond the #street line#, provided any such recesses deeper than 10 feet along a #wide street#, or 15 feet along a #narrow street#, are located within an #outer court#. Furthermore, no recesses shall be permitted within 30 feet of the intersection of two #street lines# except that, to allow articulation of #street walls# at the intersection of two #street lines#, the #street wall# may be located anywhere within an area bounded by the two #street lines# and a line connecting such #street lines# at points 15 feet from their intersection.

\*\*\*

**MINIMUM AND MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT BY DISTRICT OR SUBAREA**

District or Subarea		Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum #Building# Height (in feet)
C6-2A		60	85	120
C6-3A		60	102	145
M1-5		50	95	135
Subarea A	within 50 feet of a #wide street#	60	85	____ <sup>1</sup>
	between 50 and 100 feet of a #wide street#	15	85	____ <sup>1</sup>
	for #zoning lots# with only #narrow street# frontage	40	60	____ <sup>1</sup>
Subarea B		60	95	135
Subarea C	for #zoning lots# with only #narrow street# frontage	60	110	110
	for #zoning lots# with Tenth Avenue frontage	105 <sup>2</sup>	125 <sup>2</sup>	145 <sup>2</sup> 125 <sup>2</sup>
	for #zoning lots# with Eleventh Avenue frontage	125 <sup>2</sup>	145 <sup>2</sup>	145 <sup>2</sup>
Subarea D		60	90	250 <sup>1</sup>
Subarea E		60	105 <sup>3</sup>	120 <sup>3</sup>
Subarea F		60 <sup>2</sup>	80 <sup>2</sup>	80 <sup>2</sup>
Subarea G	for #zoning lots# with only #narrow street# frontage	60	95	95
	for #zoning lots# with #wide street# frontage	105 <sup>2</sup>	120 <sup>2</sup>	120 <sup>2</sup>
Subarea H		60 <sup>4</sup>	85 <sup>4</sup>	____ <sup>4</sup>



Subarea I	within 300 ft. of Tenth Ave. between W. 16th St. & W. 17th St.	60	85	120 <sup>5</sup>
	all other areas	60	105	135
Subarea J	Midblock Zone	NA	110 <sup>6</sup>	130 <sup>6</sup>
	Ninth Avenue Zone	NA	130 <sup>6</sup>	135 <sup>6</sup>
	Tenth Avenue Zone	NA	185 <sup>6</sup>	230 <sup>6</sup>

<sup>1</sup>see Section 98-423, paragraph (b)

<sup>2</sup>see Section 98-423, paragraph (c)

<sup>3</sup>see Section 98-423, paragraph (d)

<sup>4</sup>see Section 98-423, paragraph (e)

<sup>5</sup>see Section 98-423, paragraph (f)

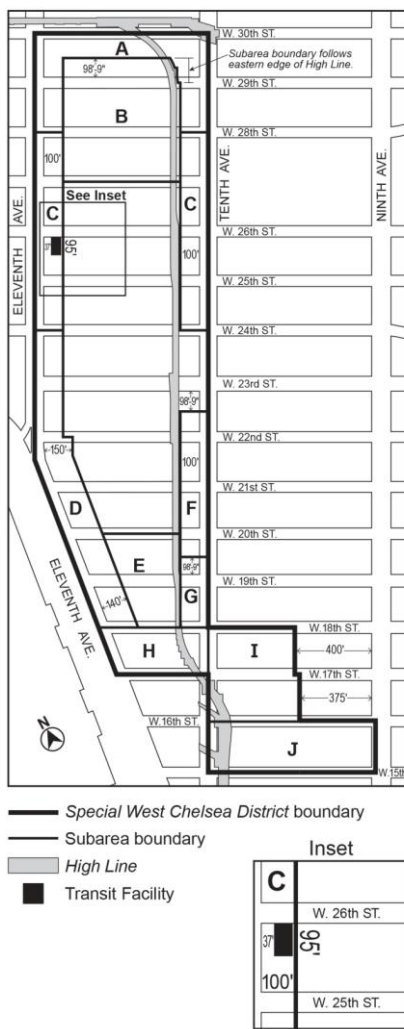
<sup>6</sup> see Section 98-423, paragraph (g)

\*\*\*

[Text map to be deleted]

**Appendix A**

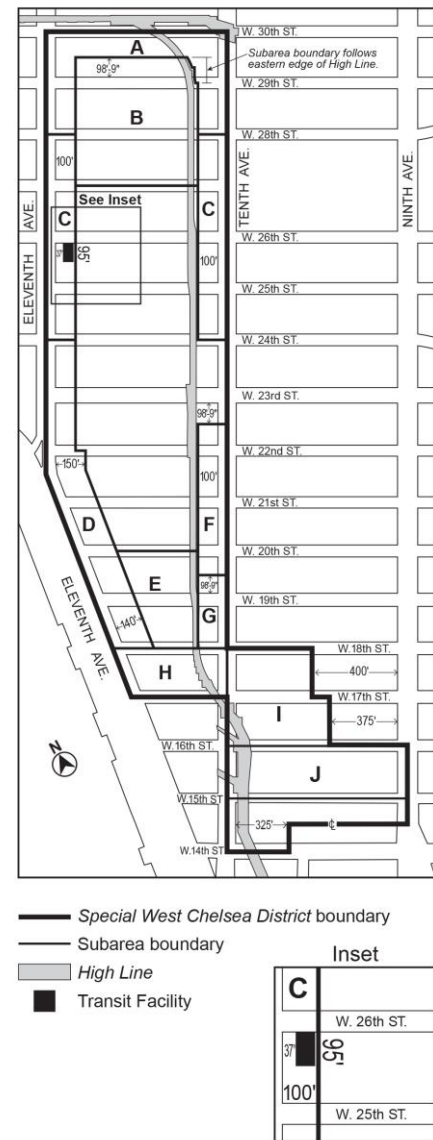
**Special West Chelsea District and Subareas (98A)**



[Text map to be added]

**Appendix A**

**Special West Chelsea District and Subareas (98A)**



[Text map to be deleted]

**Appendix B**

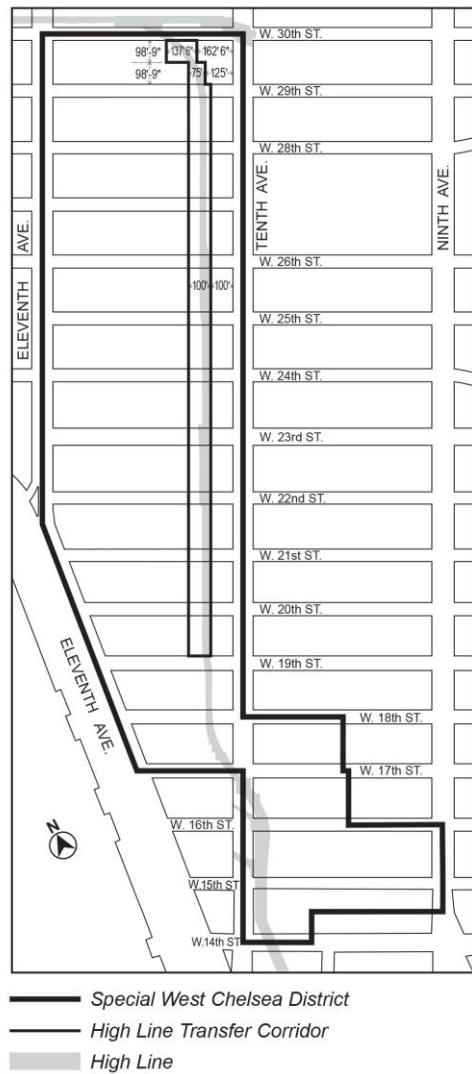
**High Line Transfer Corridor Location (98B)**



[Text map to be added]

**Appendix B**

**High Line Transfer Corridor Location (98B)**



DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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. 165 & Res. No. 561

**Report of the Committee on Land Use in favor of approving Application No. C 150101 ZMM, submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 8b, to expand the Special West Chelsea District, Borough of Manhattan, Community Board 4, Council District 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on December 17, 2014 (Minutes, page 4557) and was coupled in committee with the resolution shown below before being sent to the City Planning Commission by the Council for further review (see Reports of the Committee on Land Use in these Minutes), respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 4**

**C 150101 ZMM**

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 8b, establishing a Special West Chelsea District (WCh) bounded by West 15th Street, Ninth Avenue, a line midway between West 15th Street and West Fourteenth Street, a line 325 feet easterly of Tenth Avenue, West Fourteenth Street, and Tenth Avenue, as shown on a diagram (for illustrative purposes only) dated September 2, 2014, and subject to the conditions of CEQR Declaration E-350.

**INTENT**

This zoning map amendment, in conjunction with the related zoning text amendment, would expand the Special West Chelsea District, modify bulk

regulations in the rezoning area, amend street wall regulations for some corner lots, clarify rear yard provisions, correct maximum building heights permitted in Subarea C and allow unenclosed sidewalk cafés on wide streets in the Special West Chelsea District in Community District 4, Borough of Manhattan.

**PUBLIC HEARING**

**DATE:** January 13, 2015

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

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 13, 2015

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

**In Favor:** Weprin, Gentile, Garodnick, Reynoso, Torres, Ignizio

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

**COMMITTEE ACTION**

**DATE:** January 15, 2015

The Committee recommends that the Council approve the attached resolution.

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

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

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

Res. No. 561

**Resolution approving the decision of the City Planning Commission on ULURP No. C 150101 ZMM, a Zoning Map amendment (L.U. No. 165).**

By Council Members Greenfield and Weprin.

**WHEREAS**, the City Planning Commission filed with the Council on January 2, 2015 its decision dated December 17, 2014 (the "Decision"), on the application submitted by the New York City Department of City Planning, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 8b, by establishing a Special West Chelsea District (WCh) bounded by West 15th Street, Ninth Avenue, a line midway between West 15th Street and West Fourteenth Street, a line 325 feet easterly of Tenth Avenue, West Fourteenth Street, and Tenth Avenue, in Community District 4, (ULURP No. C 150101 ZMM), Borough of Manhattan (the "Application");

**WHEREAS**, the Application is related to Application N 150102 ZRM (L.U. No. 164), an amendment to the text of the Zoning Resolution of the City of New York, relating to Article IX, Chapter 8 (Special West Chelsea District), and Article I, Chapter 4 (Sidewalk Café Regulations);

**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 January 13, 2015;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 15DCP037M) issued on December 17, 2014 (the "Revised Negative Declaration");

**RESOLVED:**

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 150101 ZMM, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 8b, by establishing a Special West Chelsea District (WCh) bounded by West 15th Street, Ninth Avenue, a line midway between West 15th Street and West Fourteenth Street, a line 325 feet easterly of Tenth Avenue, West Fourteenth Street, and Tenth Avenue, as shown on a diagram (for illustrative purposes only) dated September 2, 2014, and subject to the conditions of CEQR Declaration E-350, Community District 4, Borough of Manhattan.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, MARK S. WEPRIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, January 15, 2015.

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).

**Resolution approving various persons Commissioners of Deeds**

**By the Presiding Officer –**

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

*Approved New Applicant's Report*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Margaret McRae	595 FDR Drive #4B New York, N.Y. 10002	2
Chi-Hsin Hsia	570 West 204th Street #6A New York, N.Y. 10034	10
Deannine Hendricks	510 Rosedale Avenue #A61 Bronx, N.Y. 10473	18
Anastasia Plakas	171-35 Courtney Avenue Flushing, N.Y. 11358	20
Tamara Montalvan	59 Weldon Street #1 Brooklyn, N.Y. 11208	37
Jasmine A. Lee	358 41st Street #12 Brooklyn, N.Y. 11232	38
Wendy Rodriguez-Figueroa	217-East 7th Street Brooklyn, N.Y. 11218	39
Vivian Brown	1201 Pennsylvania Avenue #8D Brooklyn, N.Y. 11239	42
Patrick Kingfai Yu	2034 Cropsey Avenue #6B Brooklyn, N.Y. 11214	43

*Approved New Applicants and Reapplicants*

<u>Name</u>	<u>Address</u>	<u>District #</u>
Marilyn Bree	330 East 46th Street #7J New York, N.Y. 10017	4
Eva Foggie	156-20 Riverside Drive West #11H New York, N.Y. 10032	7
Tanja E. Boynes	1735 Madison Avenue #5A New York, N.Y. 10029	8
Florence Middleton	2569 7th Avenue #24H New York, N.Y. 10039	9
Gregory Watson	1925 7th Avenue #4D New York, N.Y. 10026	9
Deborah F. White	130 Lenox Avenue #231 New York, N.Y. 10026	9
Ambar C. Ventura	457 West 166th Street #2A New York, N.Y. 10032	10
Carrie Marable	900 Co-op City Blvd #10F Bronx, N.Y. 10475	12
Crystal N. Paris	100 Debs Place #16D Bronx, N.Y. 10475	12
Joel Purser	2275 Cruger Avenue #5A	12

Dawn Stephens	Bronx, N.Y. 10467 801 Tilden Street #5D	12
Maria G. Pagan	Bronx, N.Y. 10467 980 Van Nest Avenue	13
Beverly D. Smith	Bronx, N.Y. 10462 1735 Popham Avenue #5	14
Miguel Gomez	Bronx, N.Y. 10453 355 East 187th Street #H3	15
Cornell Nolton	Bronx, N.Y. 10458 1330 Webster Avenue #13A	16
Charlene Patrick	Bronx, N.Y. 10451 775 Concourse Village East #15G	16
Diana Scott	Bronx, N.Y. 10451 755 Concourse Village East #23G	16
Bernalyn A. Jones-Clarke	Bronx, N.Y. 10473 880 Boynton Avenue #19B	17
Mark H. Winnegrad	Bronx, N.Y. 10462 1450 Parkchester Road #5A	18
Jeong Lee	Flushing, N.Y. 11358 36-22A Francis Lewis Blvd #201	19
Patricia McHugh	College Point, N.Y. 11356 23-20 128th Street	19
Joan Marie Snyder	Douglaston, N.Y. 11362 241-20 Northern Blvd #3M	19
Jacqueline Dan	Queens, N.Y. 11435 83-20 141st Street #2G	24
Lyudmila Safiyeva	Queens, N.Y. 11435 8338 Smedley Street	24
Patricia Tucker	Jamaica, N.Y. 11433 109-43 164th Street	27
Cynthia Crawford	Jamaica, N.Y. 11434 160-15 118th Road	28
Kevin Hopkins	Queens, N.Y. 11436 120-23 Inwood Street	28
Melody V. Ruiz	Woodhaven, N.Y. 11421 86-77 76th Street	30
Beverly A. Austin	Rosedale, N.Y. 11413 146-41 230th Street	31
Joan Ingrid Daniels	Queens, N.Y. 11692 184 Beach 62nd Street #46	31
Pamela D. Jeter	Far Rockaway, N.Y. 11691 456 Beach 40th Street #10B	31
Torrence Jonas	Queens, N.Y. 11434 146-79 Farmers Blvd	31
Ana F. Gonzalez	Brooklyn, N.Y. 11215 450 3rd Avenue #3L	33
Nancy Cruz	Brooklyn, N.Y. 11211 202 South 2nd Street #5	34
Kathleen Dibble	Ridgewood, N.Y. 11385 1824 Putnam Avenue #3L	34
Patricia Denise Briggs	Brooklyn, N.Y. 11225 2 Stoddard Place #2E	35
Glenn Brown	Brooklyn, N.Y. 11205 104 Adelphi Street #141	35
Jonathan Sapp	Brooklyn, N.Y. 11201 135 Ashland Place #10A	35
Duke Saunders	Brooklyn, N.Y. 11238 208 St. Marks Avenue	35
Rebecca A. Hailey	Brooklyn, N.Y. 11206 644 Park Avenue #3A	36
Joanne Rizzuto	Brooklyn, N.Y. 11231 347 Smith Street	39
Joan T. Galvin	Brooklyn, N.Y. 11218 211 East 8th Street	40
Cyriaca Decaille	Brooklyn, N.Y. 11233 1626 Prospect Place #1	41
Carol Y. Telfair	Brooklyn, N.Y. 11207 51 Malta Street #313	42
Jean Morton	Brooklyn, N.Y. 11220 6801 Shore Road #1H	43
Joan T. LaPierre	Brooklyn, N.Y. 11203 792 East 51st Street	45

Judith Posniack	1566 East 29th Street Brooklyn, N.Y. 11229	45
Latasha Richardson	3715 Avenue J Brooklyn, N.Y. 11210	45
Kathoria S. Sparkman	1414 Brooklyn Avenue #4G Brooklyn, N.Y. 11210	45
Pamela Bozeman	2275 Utica Avenue Brooklyn, N.Y. 11234	46
Margarita Bogolyubova	2018 Voorhies Avenue #B24 Brooklyn, N.Y. 11235	48
Anna Elman	2228 East 28th Street Brooklyn, N.Y. 11229	48
Dmitry Zaprudskiy	331 Shore Parkway #3C Brooklyn, N.Y. 11235	48
Mary Faust	475 Vanderbilt Avenue #1 Staten Island, N.Y. 10304	49
Andrew L. Lewis	214 Victory Blvd Staten Island, N.Y. 10301	49
Marsha Ballow	375 Atlantic Avenue Staten Island, N.Y. 10305	50
Sallyann Bartels	46 Bishop Street Staten Island, N.Y. 10306	50
Jo-Ann Appice	400 Getz Avenue Staten Island, N.Y. 10312	51
Roberta Balber	65 Hooper Avenue Staten Island, N.Y. 10306	51
Vincent P. Maniscalco	38 Purdue Street Staten Island, N.Y. 10314	51
Elvira Tkach	44 Gunton Place Staten Island, N.Y. 10309	51

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

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

- (1) **Int 126-A -** Requiring the reporting of environmental data regarding schools.
- (2) **Int 571-A -** Early intervention program.
- (3) **Int 612-A -** Sale of tax liens.
- (4) **Int 620 -** A Local Law in relation to the naming of 56 thoroughfares and public places.
- (5) **Res 545 -** Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (6) **L.U. 158 & Res 555 -** App. **20155247 PNK** 81 39th Street Brooklyn, Community Board 7, Council District 38 (**Coupled to be Filed Pursuant to a Letter of Withdrawal**).
- (7) **L.U. 164 & Res 560 -** App. **N 150102 ZRM** expand the Special District, Manhattan, Community Board 4, Council District 3.
- (8) **L.U. 165 & Res 561 -** App. **C 150101 ZMM**, expand the Special West Chelsea District, Borough of Manhattan, Community Board 4, Council District 3.
- (9) **L.U. 166 & Res 556 -** App. **20155174 HKK (N 150124 HKK)**, House, 1090 Green Avenue Brooklyn, Council District 34, as a landmark.
- (10) **L.U. 167 & Res 557 -** App. **20155204 HKM (N 150157 HKM)**, 334 East 14th Street Manhattan, Council District 2, as a landmark.
- (11) **L.U. 168 & Res 558 -** App. **20155203 HKM (N 150158 HKM)** 485 Seventh Avenue, Manhattan, Council District 3, as a landmark.

(12) **L.U. 169 & Res 559 -** App. **20145332 TCM** 11 Avenue of the Americas, Manhattan, Council District 1.

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

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

**Affirmative** – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **50**.

**The General Order vote recorded for this Stated Meeting was 50-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **LU No. 169 & Res No. 559**:

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

**Negative** – Gentile – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 126-A, 571-A, 612-A and 620.*

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

**RESOLUTIONS**

*Presented for voice-vote*

**The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:**

Report for voice-vote Res. No. 507

**Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution declaring January 15th - 22nd of each year as Peace Week in the City of New York.**

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed Land Use item was referred on December 8, 2014 (Minutes, page 4370), respectfully

**REPORTS:**

**Introduction**

On January 21, 2015, the Committee Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member James Van Bramer, will hold a hearing on Presconsidered Res. No. 507, a resolution commemorating the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27th, 2015. Holocaust survivors, community based organizations, non-profit organizations, professional associations, museum representatives, and academic institutions have been invited to testify. The Committee will also hear testimony on Res. No. 507, a resolution declaring January 15th - 22nd of each year as Peace Week in the City of New York. Community based organizations and non-profit organizations have been invited to testify.

**Background on Preconsidered Res. No. 507**

January 2015 marks seventy years since the liberation of Auschwitz-Birkenau, the largest complex of camps established by the Nazis. It is estimated that a minimum of 1.3 million people were deported to Auschwitz between 1940 and 1945 and that of these, at least 1.1 million were murdered.<sup>1</sup> By the end of World War II, approximately 6,000,000 Jews were murdered, along with millions of Gypsies, Poles, and others.<sup>2</sup> On January 27, 1945, Allied Forces entered Auschwitz and liberated more than 7,000 remaining prisoners, who were mostly ill and dying.<sup>3</sup> As of

2011, approximately 73,000 Holocaust survivors lived in and around New York City.<sup>4</sup> A 2005 United Nations Resolution established January 27<sup>th</sup> as Holocaust Remembrance Day.<sup>5</sup> This resolution commemorates the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27<sup>th</sup>, 2015.

**Preconsidered Res. No. 507**

Preconsidered Res. No. 507 would indicate that according to the Simon Wiesenthal Center, early in 1942, the Nazi hierarchy formally decided on the “Final Solution” to the “Jewish problem” - annihilation. The resolution would indicate that throughout occupied Europe, genocide was begun, and by 1945, at the end of World War II, six million Jews and millions of others had been killed.

Preconsidered Res. No. 507 would note that Auschwitz-Birkenau was a huge complex of camps including Auschwitz and Auschwitz II-Birkenau, Auschwitz III-Monowitz and 45 satellite camps, each dedicated variously to killing centers, concentration, and forced-labor camps. The resolution would further note that it has been estimated that a minimum of 1.3 million people were sent to Auschwitz between 1940 and 1945 and that of these, at least 1.1 were murdered. The resolution would indicate that January 2015 marks seventy years since the liberation of Auschwitz by Allied forces.

The resolution would further point out that the United Nations’ Resolution in 2005 establishing January 27<sup>th</sup> as Holocaust Remembrance Day, on the anniversary of the liberation of Auschwitz-Birkenau said in part:

Reaffirming that the Holocaust, which resulted in the murder of one third of the Jewish people along with countless members of other minorities, will forever be a warning to all people of the dangers of hatred, bigotry, racism, and prejudice.

The resolution would indicate that in response to the destruction and depravity of the Nazi regime, institutions such as the Simon Wiesenthal Museum of Tolerance New York, and elsewhere throughout the world, have been established, to honor the memory of the victims and through education held give meaning to the expression “Never Again.” The resolution would also indicate according to Selfhelp Community Services, Inc., in 2011 there were approximately 73,000 Holocaust survivors living in and around New York City, many whom were liberated from Auschwitz-Birkenau.

The resolution would further note that, particularly in light of recent events in Paris, France, the words of Holocaust survivor Eli Wiesel, who was barely alive in Auschwitz as the camp was liberated by Allied forces, resound louder than ever:

We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Whenever men and women are persecuted because of their race, religion, or political views, that place must – at that moment – become the center of the universe.<sup>6</sup>

Finally, Preconsidered Res. No. 507 would assert that the Council of the City of New York commemorates the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27<sup>th</sup>, 2015.

<sup>1</sup> United States Holocaust Memorial Museum. *Holocaust Encyclopedia*. 20 Jan 2015.

<<http://www.ushmm.org/wlc/en/article.php?ModuleId=10005189>>

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Selfhelp Community Services, Inc. *Holocaust Survivors in New York: Today Through 2025*. 20 Jan 2015. <<http://www.aging.senate.gov/download/elihu-kover-supplemental->>

<sup>5</sup> Resolution adopted by the General Assembly on the Holocaust Remembrance (A/RES/60/7, 1 November 2005)

<sup>6</sup> Elie Wiesel - Acceptance Speech". *Nobelprize.org*. Nobel Media AB 2014. Web. 14 Jan 2015. <[http://www.nobelprize.org/nobel\\_prizes/peace/laureates/1986/wiesel-acceptance\\_en.html](http://www.nobelprize.org/nobel_prizes/peace/laureates/1986/wiesel-acceptance_en.html)>

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 507:)

Res. No. 507

**Resolution declaring January 15th - 22nd of each year as Peace Week in the City of New York.**

By Council Members Williams, Cornegy, Cabrera, Eugene, Mendez, Palma, Van Bramer, Rosenthal, Crowley, Koo, Kallos and Lander.

**Whereas**, January 15th - 22nd, 2015 will mark the 6th annual “NY Peace Week,” in honor of Dr. Martin Luther King Jr’s legacy of non-violence; and

**Whereas**, NY Peace Week, organized by LIFE Camp, Inc., was established to address youth violence in New York City neighborhoods; and

**Whereas**, The goal of NY Peace Week “is to create a culture of peace throughout New York City for the week by hosting an event, performing an activity or simply taking one personal action toward creating inner peace and setting a positive example for youth”; and

**Whereas**, Peace Week galvanizes the efforts of entertainers, cultural icons, government leaders, educators, athletes and community based organizations to host an event or lend their voice to the message of peace; and

**Whereas**, NY Peace Week targets 18 to 25 year old tech-savvy, socially active teens, college students and young adults throughout the New York Tri-State Area who are influenced by pop culture and multi-media; and

**Whereas**, NY Peace Week promotes various events and digital platforms to encourage these individuals to become peer leaders and role models for youth under age 18; and

**Whereas**, According to the 2010 Census, there are approximately 1.2 million youth aged 15 to 24 living in New York City; and

**Whereas**, According to data released in 2013 by the New York City Department of Health and Mental Hygiene (“Health Department”), homicide was the leading cause of death among New York City youth aged 15 to 24 between 2009-2011; and

**Whereas**, The Health Department’s 2013 Epi Research Report, *Firearm Deaths and Injuries in New York City*, revealed that in 2011, New Yorkers aged 15 to 24 had the highest rate of firearm homicide and firearm assault hospitalizations compared with other age groups; and

**Whereas**, Furthermore, this same report found that young black men aged 15 to 24 experienced the highest rate of violence-related firearm death and injury; and

**Whereas**, NY Peace Week not only brings about awareness on youth violence, it also encourages people, especially teens and young adults, to become involved in helping to reduce such violence in their communities; now, therefore, be it

**Resolved**, That the Council of the City of New York declares January 15th - 22nd of each year as Peace Week in the City of New York.

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS, PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 21, 2015. *Other Council Members Attending: Williams, Deutsch, Treyger, Levine, Espinal, Miller and Cornegy.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 531-A

**Report of the Committee on Health in favor of approving, as amended, a resolution recognizing January as Cervical Health Awareness Month in New York City.**

The Committee on Health, to which the annexed Land Use item was referred on January 7, 2015 (Minutes, page 112), respectfully

**REPORTS:**

**I. Introduction**

The Committee on Health, chaired by Council Member Corey Johnson, held a joint hearing with the Committee on Women’s Issues, chaired by Council Member Laurie Cumbo, on January 8, 2015, on Res. No. 531 and Res. No. 532, in addition to an oversight hearing on “Examining the City’s Effort to Prevent the Human Papillomavirus and Decrease Risk for Cancer.” Both resolutions were amended and favorably voted out of committee on January 21, 2015 by a vote of 8-0, with no abstentions. Res. No. 531-A would recognize January as Cervical Health Awareness Month in New York City and Res. No. 532-A would call upon the New York State Legislature to pass legislation permitting health care practitioners to provide treatment to youth for the prevention of human papillomavirus, a common virus that can cause cancer.

**II. HPV: Overview**

Human papillomaviruses (HPV) are a group of more than 150 related viruses, more than 40 of which can be easily spread through direct skin-to-skin contact during vaginal, anal, and oral sex.<sup>1</sup> HPV infections are the most common sexually transmitted infections in the United States. According to the Centers for Disease Control and Prevention (CDC), HPV is so common that nearly all sexually active men and women get it at some point in their lives<sup>2</sup> HPV usually resolves itself within two years and most people do not know they are infected.<sup>3</sup> However, certain types of HPV do not go away and can cause genital warts or cancer.<sup>4</sup>

Cancer often takes years, even decades, to develop after a person gets HPV.<sup>5</sup> The types of HPV that can cause genital warts are not the same as the types of HPV that can cause cancers.<sup>6</sup> According to the National Cancer Institute (NCI), HPV infections account for approximately five percent of all cancers worldwide.<sup>7</sup> The American Cancer Society (ACS) estimates that HPV infections are responsible for nearly all cervical and anal cancers, about 70 percent of all vaginal cancers and vulvar cancers, roughly 60 percent of all penile cancers, and over 70 percent of all oropharyngeal cancers.<sup>8</sup>

**HPV Prevention**



Using latex condoms can lower your risk, but condoms do not provide full protection against HPV.<sup>9</sup> The CDC estimates that about 21,000 HPV-related cancers could be prevented by getting vaccinated.<sup>10</sup> The Food and Drug Administration has approved and certified Gardasil and Cervarix as safe and effective HPV vaccines since 2006 and 2009, respectively.<sup>11</sup> Cervarix is only available to females and prevents the two HPV types which cause 70 percent of cervical cancers.<sup>12</sup> Gardasil prevents four types of HPV and has been shown to protect against genital warts and cancers of the anus, vagina and vulva, in addition to cervical cancer.<sup>13</sup> Gardasil is available to both males and females.<sup>14</sup> The vaccines are administered in three doses over a period of six months.<sup>15</sup> The CDC recommends the HPV vaccine for girls and boys at age 11 or 12 years to allow time to develop an immune response before becoming sexually active.<sup>16</sup> HPV vaccines are licensed for females and males through age 26 years.<sup>17</sup>

Gardasil 9 is a new vaccine that will be distributed beginning February 2015 which prevents nine types of HPV and has the potential to prevent up to 90 percent of cervical, vulvar, vaginal and anal cancers, as well as genital warts.<sup>18</sup> Gardasil 9 was approved by the FDA on December 10, 2014 for females between ages 9 and 26 and males ages 9 through 15.<sup>19</sup>

One study revealed that in the few years after Gardasil was available, the prevalence of HPV infections was cut by more than half among females in the United States between ages 14 to 19.<sup>20</sup> In Australia, genital warts diagnoses were drastically reduced from 11.5 percent to .85 percent in women under the age of 21 due to a nationally funded program offering Gardasil for free to females between the ages of 12 to 26.<sup>21</sup> Additionally, although the program did not offer the vaccine to males at the time, diagnoses in heterosexual males under the age of 21 declined from 12.1 percent to 2.2 percent.<sup>22</sup> Significant changes in diagnoses were not found in men who have sex with men.<sup>23</sup> The program in Australia demonstrates the effectiveness of drastically reducing HPV infections by increasing access to the HPV vaccine.

#### **HPV Screenings and Cervical Cancer**

Cervical Cancer is the most common HPV-associated cancer.<sup>24</sup> The CDC estimates that about 10,000 women in the United States are diagnosed with cervical cancer annually and approximately 4,000 women die each year of cervical cancer.<sup>25</sup> According to the ACS, cervical cancer was once one of the most common causes of cancer death for American women.<sup>26</sup> The cervical cancer death rate has gone down drastically over the last few decades mostly due to increased screenings.<sup>27</sup>

Abnormal cell changes on the cervix caused by HPV can be detected through a Pap test.<sup>28</sup> HPV tests are only approved by the FDA for follow-up testing of women who seem to have abnormal Pap test results and for cervical cancer screening in combination with a Pap test among women over age 30.<sup>29</sup> When cervical cancer is found early, it is highly treatable and associated with long-term survival.<sup>30</sup> There are currently no recommended screening methods similar to a Pap test for detecting cell changes caused by HPV infection in anal, vulvar, vaginal, penile, or oropharyngeal tissues.<sup>31</sup>

### **III. HPV Prevention and Cervical Health in NYC**

#### ***Prevention and Vaccine Availability***

Despite a high rate of effectiveness, the Centers for Disease Control (CDC) reported that start-up and completion rates of the HPV vaccine are low. In 2012, a national survey found that 54 percent of girls aged 13-17 years had received at least 1 dose of the HPV vaccine series, but only 33 percent had received all 3 doses in the series.<sup>32</sup> In August 2014, the New York City Department of Health and Mental Hygiene (DOHMH) reported that only 47 percent of boys aged 13-17 and 64 percent of girls aged 13-17 had received at least one dose of the HPV vaccine across the five boroughs. Nevertheless, just 40 percent of girls aged 13-17 and 22 percent of boys aged 13-17 in New York City had received the three doses of the vaccine that are recommended for full protection. Even though completion rates are higher among girls in New York City overall, these numbers vary significantly by geographic location.<sup>33</sup> Vaccination coverage is lowest in Staten Island, Central/Southern Brooklyn, and Greenpoint/Williamsburg.<sup>34</sup>

Vaccination coverage also varies by race and socioeconomic status in the U.S. According to the CDC, "Among teen girls who started getting HPV vaccinations, Black girls were less likely than white or Hispanic girls to finish getting all the recommended doses."<sup>35</sup> Coverage for one or two doses of the vaccine was higher for girls living below the poverty level; however, no differences by poverty level were observed for three doses.<sup>36</sup> In other words, girls below the poverty level were more likely to start the vaccine but were less likely than those above the poverty level to follow up with the two other doses. Coverage for all doses of the HPV vaccine was greater among Black and Hispanic boys compared to whites and greater among boys living below the poverty level compared to those living at or above the poverty level.<sup>37</sup>

In New York City, young people ages 9-26 can access the vaccine via a primary care physician, a HHC hospital, Federally Qualified Health Centers (FQHCs) or other community health clinics (CHCs), school-based health centers (SBHCs) or at the DOHMH Immunization Walk-In Clinic located in Fort Greene, Brooklyn. Each child receiving primary care services at an HHC facility is offered the HPV vaccine in the same way other required and recommended vaccines are offered.<sup>38</sup>

Publicly funded clinics play a critical role in HPV prevention and cervical health. The Guttmacher Institute estimates that in 2010, services provided as part of a publicly funded family planning visit related to cervical cancer prevention, including Pap and HPV testing and the HPV vaccine, prevented 3,700 cases of cervical cancer and 2,100 cervical cancer deaths nationally.<sup>39</sup>

#### ***Cost, Coverage and Affordability***

The cost of Gardasil and Cervarix range from approximately \$95.00 to \$130.00 per dose and \$285.00 to \$390.00 for the complete series<sup>40</sup>, and "all private insurance plans regulated by New York State are required to cover the cost of all [Advisory Committee on Immunization Practices]-recommended vaccines, including HPV, for patients through the age of 18."<sup>41</sup> However, the New York State website recommends that companies should be contacted individually to determine coverage for private insurance plans not regulated by New York State.<sup>42</sup>

Alternative coverage can be found through the federal Vaccines for Children (VFC) program, which "covers the cost of the HPV vaccine for all eligible children through the age of 18."<sup>43</sup> VFC-eligible children are those who are, Medicaid recipients, uninsured, underinsured (i.e. an insured child whose insurance caps vaccine coverage or does not cover all vaccines), American Indians/Alaskan Natives, or Enrolled in the State Child Health Insurance Program (CHIP).<sup>44</sup>

For people over the age of 18, "two pharmaceutical companies – Merck and GlaxoSmithKline (GSK) – have patient assistance programs which offer help for individuals 19-26 years of age who cannot afford HPV vaccination."<sup>45</sup>

The New York State Medicaid Program provides reimbursement for the HPV vaccine in accordance with CDC guidelines when the vaccine is administered to Medicaid-enrolled females aged 9 to 26 years,<sup>46</sup> and provides the vaccine for free to all children eligible for the federal Vaccines for Children program.<sup>47</sup>

#### ***School Based Health Centers and Vaccine Availability***

School-based health centers (SBHCs) offer an optimal model for the delivery of adolescent primary care around the country. Several studies have shown that SBHCs typically have higher completion rates than community-based health centers for immunization series among those aged 12–18 years, despite serving a population with limited insurance coverage.<sup>48</sup>

SBHCs in New York City are able to administer and regularly stock the HPV vaccine.<sup>49</sup> While minors in New York State can access sexual and reproductive health services without parental consent, the Office of School Wellness cites the need for parental consent for the HPV vaccine as a significant barrier to access in schools.<sup>50</sup> Parents receive information about the HPV vaccine in schools at the same time that they receive information about the Tetanus, Diphtheria, Pertussis (Tdap) vaccine, but because it is not mandatory for school entry, parental awareness may be limited.<sup>51</sup>

Senator Liz Krueger and Assembly Member Amy Paulin introduced legislation in 2013 (S.3134-A/A.497-A) which would permit health care practitioners to provide health care related to the prevention of sexually transmissible diseases, including administering vaccines, to persons under the age of 18 without a parent's or guardian's consent.<sup>52</sup> Assembly Member Paulin has reintroduced this legislation in 2015 (A.1528) and Senator Krueger has stated she will reintroduce as well.<sup>53</sup> In 2012, California similarly began allowing minors to unilaterally consent to STD prevention services, including the HPV vaccine.<sup>54</sup>

#### ***HPV and Cervical Health Outreach and Education***

On August 11, 2014, DOHMH launched a new ad campaign "to encourage parents of adolescents to vaccinate their children against human papillomavirus (HPV)."<sup>55</sup> This campaign consisted of ads in English and Spanish which were displayed in subway cars for two months.<sup>56</sup> DOHMH has documented an uptick in vaccination rates during the time of and immediately following their outreach campaign.<sup>57</sup>

DOHMH also tracks immunization rates through the Citywide Immunization Registry. All immunization administered to children below the age of 19 must be reported to the Registry.<sup>58</sup> Providers then receive an Up-to-Date Coverage and Vaccines for Children Doses Administered Report, which allows providers to better monitor and improve vaccination rates among their patients.<sup>59</sup> In the Frequently Asked Questions for providers regarding this report, DOHMH provides recommendations for increasing coverage for all vaccines and HPV in particular.<sup>60</sup>

Both DOHMH and the Health and Hospitals Corporation (HHC) have information on their websites explaining the HPV vaccine and who should receive it. DOHMH includes PDF pamphlets in 10 languages and informational videos about HPV in Spanish and English.<sup>61</sup> However, one article linked demand for Gardasil "to a tailored media campaign by Merck,"<sup>62</sup> rather than one by the City.

The DOHMH website includes a section on cervical cancer which includes information on HPV and screenings, as well as pamphlets on the disease, mainly in English, Spanish and Chinese.

### **IV. Analysis**

#### ***Res. No. 531-A***

Resolution Number 531-A would recognize January as Cervical Health Awareness Month in New York City. The resolution would state that HPV infections are responsible for nearly all cervical cancers according to ACS. The resolution would note that approximately 14 million new cases of sexually transmitted HPV occur in the United States each year and about 70 percent of women and men will come into contact with HPV during their life, according to NCCC.

The resolution would note that HPV usually resolves itself within two years and does not cause health problems; however, certain types of HPV do not go away and can cause genital warts, cervical cancer, anal cancer, vaginal cancer, vulvar cancer, penile cancer, and oropharyngeal cancer.

The resolution would state that cervical cancer is the most common HPV-associated cancer with about 10,000 women in the United States diagnosed annually and approximately 4,000 women dying each year of cervical cancer according to CDC estimates. The resolution would state that according to ACS, cervical cancer and pre-cancer can be a risk factor for anal cancer. The resolution would also note that cervical cancer is highly preventable because a vaccine to prevent HPV infections is available in addition to a Pap test which can detect abnormal cell changes on the cervix caused by HPV. The resolution would state the cervical cancer is highly treatable and associated with long-term survival when found early.



The resolution would note that the CDC recommends the HPV vaccine for girls and boys at age 11 or 12 years to allow time to develop an immune response before becoming sexually active. The resolution would state that cervical cancer was once one of the most common causes of cancer death for American women but the death rate has gone down by more than 50 percent over the last 30 years mostly due to increased screenings. The resolution would note that lives can be saved by increasing awareness of vaccination and screening and that the United States Congress recognized January as National Cervical Health Awareness Month in 2010.

Res. No. 532-A

Resolution Number 532-A would call upon the New York State Legislature to pass legislation permitting health care practitioners to provide treatment to youth for the prevention of HPV, a common virus that can cause cancer. The resolution would state that HPV is so common that nearly all sexually active men and women contract it at some point in their lives, according to the Centers for Disease Control and Prevention (CDC). The resolution would note that the CDC estimates 79 million Americans are currently infected with human papillomavirus. The resolution would state that HPV infections can cause genital warts, cervical cancer, anal cancer, vaginal cancer, vulvar cancer, penile cancer, and oropharyngeal cancer and HPV infections account for approximately five percent of all cancers worldwide, according to NCI.

The resolution would state that, according to the American Cancer Society estimates, HPV infections are responsible for nearly all cervical cancers and anal cancers, about 70 percent of all vaginal cancers and vulvar cancers, roughly 60 percent of all penile cancers, and over 70 percent of all oropharyngeal cancers. The resolution would state that, according to CDC estimates, about 10,000 women in the United States are diagnosed with cervical cancer annually and approximately 4,000 women die each year of cervical cancer. The resolution would note that HPV-related anal and oropharyngeal cancers rates are rising.

The resolution would state that CDC estimates about 21,000 HPV-related cancers could be prevented by getting vaccinated for HPV and that two vaccines, Gardasil and Cervarix, are available to the public and protect against the most common types of HPV. The resolution would note that Cervarix prevents the two HPV types which cause 70 percent of cervical cancers and Gardasil prevents four types of HPV and has been shown to protect against genital warts and cancers of the anus, vagina and vulva, in addition to cervical cancer. The resolution would further note that Gardasil 9 is a new vaccine that will be distributed beginning February 2015 which prevents nine types of HPV and has the potential to prevent up to 90 percent of cervical, vulvar, vaginal and anal cancers, as well as genital warts.

The resolution would note that the vaccines are administered in three doses over a period of six months and the CDC recommends that all boys and girls ages 11 and 12 receive the vaccines, and that young women and men can be vaccinated up to the age of 26.

The resolution would state that DOHMH and CDC recommend administering the vaccines at a young age before sexual activity and possible exposure to HPV. The resolution would note that the Food and Drug Administration has approved and certified Gardasil, Cervarix, and Gardasil 9 as safe and effective vaccines since 2006, 2009 and 2014, respectively. The resolution would state that Gardasil is approved for both males and females between ages 9 and 26, Cervarix is approved for females between ages 9 and 26, and Gardasil 9 is approved for females between ages 9 and 26 and males ages 9 through 15.

The resolution would state a study published in the Journal of Infectious Diseases found that among females in the United States between ages 14 to 19, the prevalence of HPV infections has decreased from 11.5 percent between the years 2003 and 2006 to 5.1 percent after Gardasil was available, specifically between the years 2007 and 2010. Additionally, the resolution would note that Australia implemented a nationally funded program in 2007 offering Gardasil free to girls between ages 12 to 13, and during the two years that followed implemented similar programs for girls and women between ages 13 and 26. The resolution would state that since the implementation of the program, the proportion of women in Australia under age 21 being diagnosed as having genital warts has decreased from 11.5 percent in 2007 to 0.85 percent in 2011 according to a study conducted by the University of South Wales. The resolution would state that the program in Australia demonstrates the effectiveness of drastically reducing HPV diagnoses by increasing access to the HPV vaccine.

The resolution would state that while minors in New York State can access sexual and reproductive health services without parental consent, preventative services, such as the HPV vaccine, are not explicitly listed in State law as being permitted without parental consent. The resolution would note that Senator Liz Krueger and Assembly Member Amy Paulin introduced legislation in 2013 (S.3134-A/A.497-A) which would permit health care practitioners to provide health care related to the prevention of sexually transmissible diseases (STDs), including administering vaccines, to persons under the age of 18 without a parent's or guardian's consent. The resolution would note that Assembly Member Paulin has reintroduced this legislation in 2015 (A.1528) and Senator Krueger has stated she will reintroduce as well. The resolution would also note that California similarly began allowing minors to unilaterally consent to STD prevention services in 2012, including the HPV vaccine.

The resolution would state that New York State should ensure that minors have access to the tools they need to prevent certain sexually transmitted diseases which can ultimately cause cancer.

<sup>1</sup> National Cancer Institute, *HPV and Cancer*, (March 15, 2012), <http://www.cancer.gov/cancertopics/factsheet/Risk/HPV> [hereinafter *NCI, HPV and Cancer*]  
<sup>2</sup> Centers for Disease Control and Prevention, *Genital HPV Infection - Fact Sheet*, (March 20, 2014), <http://www.cdc.gov/std/HPV/STDFact-HPV.htm> [hereinafter *HPV Fact Sheet*].

<sup>3</sup> *Id.*

<sup>4</sup> National Cervical Cancer Coalition, *HPV/Cervical Cancer Overview*, (March 20, 2014), <http://www.nccc-online.org/index.php/overview>

<sup>5</sup> *HPV Fact Sheet*, *supra* note **Error! Bookmark not defined.**

<sup>6</sup> *Id.*

<sup>7</sup> *NCI, HPV and Cancer*, *supra* note **Error! Bookmark not defined.**

<sup>8</sup> American Cancer Society, *HPV and Cancer*, (December 12, 2014),

<http://www.cancer.org/cancer/cancercauses/othercarcinogens/infectiousagents/hpv/hpv-and-cancer-info>.

<sup>9</sup> <http://www.cdc.gov/std/HPV/STDFact-HPV.htm>

<sup>10</sup> *HPV Fact Sheet*, *supra* note **Error! Bookmark not defined.**

<sup>11</sup> U.S. Food and Drug Administration, *June 8, 2006 Approval Letter - Human Papillomavirus*

*Quadrivalent (Types 6, 11, 16, 18) Vaccine, Recombinant*, <http://www.fda.gov/BiologicsBloodVaccines/Vaccines/ApprovedProducts/ucm111283.htm> [hereinafter *June 8, 2006 Approval Letter*]; U.S. Food and Drug Administration, *October 16, 2009 Approval Letter - Cervarix*,

<http://www.fda.gov/BiologicsBloodVaccines/Vaccines/ApprovedProducts/ucm186959.htm>.

<sup>12</sup> Centers for Disease Control and Prevention, *HPV Vaccine Information for Clinicians - Fact Sheet*, (July 12, 2012), <http://www.cdc.gov/std/hpv/stdfact-hpv-vaccine-hcp.htm> [hereinafter *CDC Clinicians Fact Sheet*].

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Centers for Disease Control and Prevention, *HPV Vaccines*, (Feb 5, 2013),

<http://www.cdc.gov/hpv/vaccine.html>

<sup>17</sup> *Clinicians Fact Sheet*, *supra* note **Error! Bookmark not defined.**

<sup>18</sup> Merck, *FDA Approves Merck's HPV Vaccine, GARDASIL 9, to Prevent Cancers and Other Diseases Caused by Nine HPV types - Including Types that Cause About 90% of Cervical Cancer Cases*, (Dec. 11, 2014), <http://www.mercknewsroom.com/news-release/prescription-medicine-news/fda-approves-mercks-hpv-vaccine-gardasil9-prevent-cancers-an>.

<sup>19</sup> FDA News Release, *FDA approves Gardasil 9 for prevention of certain cancers caused by five additional types of HPV*, (Dec. 10, 2014),

<http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm426485.htm>.

<sup>20</sup> Lauri E. Markowitz et al., *Reduction in Human Papillomavirus (HPV) Prevalence Among Young Women Following HPV Vaccine Introduction in the United States*, *National Health and Nutrition Examination Surveys, 2003–2010*, 208 J. INFECT. DIS. 385 at 385 (2013), available at <http://jid.oxfordjournals.org/content/208/3/385.full.pdf>.

<sup>21</sup> Hammad Ali et al., *Genital warts in young Australians five years into national human papillomavirus vaccination programme: national surveillance data*, *BRITISH MED. J.* 1 (2013), available at <http://www.bmj.com/content/bmj/346/bmj.f2032.full.pdf>.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> Centers for Disease Control and Prevention, *HPV and Cancer*, (Feb. 5, 2013),

<http://www.cdc.gov/hpv/cancer.html>

<sup>25</sup> Centers for Disease Control and Prevention, *Cervical Cancer Statistics*, (Sept. 2, 2014),

<http://www.cdc.gov/cancer/cervical/statistics/>

<sup>26</sup> The American Cancer Society, *What are the key statistics about cervical cancer?*, (Oct. 13, 2014), <http://www.cancer.org/cancer/cervicalcancer/detailedguide/cervical-cancer-key-statistics>

<sup>27</sup> *Id.*

<sup>28</sup> *HPV/Cervical Cancer Overview*, *supra* note **Error! Bookmark not defined.**

<sup>29</sup> *NCI, HPV and Cancer*, *supra* note **Error! Bookmark not defined.**

<sup>30</sup> Centers for Disease Control and Prevention, *Cervical Cancer*, (Apr. 7, 2014),

<http://www.cdc.gov/cancer/cervical/>

<sup>31</sup> *NCI, HPV and Cancer*, *supra* note **Error! Bookmark not defined.**

<sup>32</sup> Centers for Disease Control and Prevention, *Human papillomavirus vaccination coverage among adolescent girls, 2007–2012, and postlicensure vaccine safety monitoring, 2006–2013 - United States*. *MMWR Morb Mortal Wkly Rep.* 2013;62(29):591-595

<sup>33</sup> NYC Department of Health and Mental Hygiene, *Health Department Launches New Ad Campaign Highlighting Cancer-Prevention Benefits of Human Papillomavirus (HPV) Vaccine*, Press Release, (Aug 11, 2014), <http://www.nyc.gov/html/doh/html/pr2014/pr026-14.shtml> [hereinafter *DOHMH Press Release*]

<sup>34</sup> *Id.*

<sup>35</sup> Centers for Disease Control and Prevention. *2013 National Immunization Survey-Teen (NIS-Teen)*. <http://www.cdc.gov/vaccines/who/teens/vaccination-coverage.html>

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> NYC Health and Hospitals Corporation website, *HPV Vaccine*,

<http://www.nyc.gov/html/hhc/html/about/About-HospServices-OurServices-HPV-Vaccine.shtml>

<sup>39</sup> Wind, Rebecca. *New Analysis Quantifies the Wide-Ranging Benefits of the Contraceptive, STI and Cervical Cancer Prevention Services Provided as Part of Publicly Funded Family Planning Visits*. *Guttmacher Institute*. 14 October, 2014.

<https://guttmacher.org/media/nr/2014/10/14/index.html>

<sup>40</sup> New York State Department of Health website, *Questions and Answers about HPV*,

[https://www.health.ny.gov/prevention/immunization/providers/hpv\\_q\\_and\\_a.htm#cost](https://www.health.ny.gov/prevention/immunization/providers/hpv_q_and_a.htm#cost)

<sup>41</sup> New York State Department of Health website, *The Human Papillomavirus (HPV) Vaccine*,

[https://www.health.ny.gov/diseases/communicable/human\\_papillomavirus/](https://www.health.ny.gov/diseases/communicable/human_papillomavirus/)

<sup>42</sup> *Id.*

<sup>43</sup> *Questions and Answers about HPV*, *supra* note **Error! Bookmark not defined.**

<sup>44</sup> *Id.*

<sup>45</sup> *The Human Papillomavirus (HPV) Vaccine*, *supra* note **Error! Bookmark not defined.**

<sup>46</sup> New York State Medicaid Update, December 2007

[http://www.health.ny.gov/health\\_care/medicaid/program/update/2007/2007-12.htm](http://www.health.ny.gov/health_care/medicaid/program/update/2007/2007-12.htm)

<sup>47</sup> New York Civil Liberties Union, *IMPORTANT UPDATE ON THE SEXUALLY TRANSMITTED VIRUS KNOWN AS "HPV"* <http://www.nyclu.org/issues/irp/hpv>

<sup>48</sup> Federico, S. G.; *Addressing Adolescent Immunization Disparities: A Retrospective Analysis of School-Based Health Center Immunization Delivery*. *Am J Public Health*. 2010 September; 100(9): 1630–1634. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2920988/>

<sup>49</sup> New York City Health Officials Announce Progress of HPV Vaccine Distribution to Health Providers"

[http://go.nationalpartnership.org/site/News2?abbr=daily2\\_&page=NewsArticle&id=8907](http://go.nationalpartnership.org/site/News2?abbr=daily2_&page=NewsArticle&id=8907)

<sup>50</sup> Meeting with NYC Department of Health and Mental Health, 30 December 2014

<sup>51</sup> *Id.*

<sup>52</sup> New York State Senate, *Bill S3134A-2013*, <http://open.nysenate.gov/legislation/bill/S3134A-2013>,

(last accessed December 29, 2014); New York State Assembly, *Bill No. A00497*,

[http://assembly.state.ny.us/leg/?default\\_fld=%0D%0A&bn=a497&term=2013&Summary=Y&Memo=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=%0D%0A&bn=a497&term=2013&Summary=Y&Memo=Y&Text=Y), (last accessed December 29, 2014).

<sup>53</sup> Verbal Testimony, New York State Senator Liz Krueger Testimony before the NYC Council Health Committee, Jan. 8, 2015, <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2119771&GUID=AA90E30C-58BC-4664-8355-242C95D4EB07>.

<sup>54</sup> Cal. Fam. Code § 6926.

<sup>55</sup> DOHMH Press Release, *supra* note **Error! Bookmark not defined.**

<sup>56</sup> *Id.*

<sup>57</sup> Meeting with NYC Department of Health and Mental Health, 30 December 2014

<sup>58</sup> NYC Department of Health and Mental Health, *CIR: Provider's Frequently Asked Questions*, <http://www.nyc.gov/html/doh/html/hcp/cir-faq.shtml>

<sup>59</sup> NYC Department of Health and Mental Health, *Frequently Asked Questions: Up-to-Date Coverage and Vaccines for Children Doses Administered Report*,

<http://www.nyc.gov/html/doh/downloads/pdf/cir/cir-faq-quarterly-immunization-report.pdf>

<sup>60</sup> *Id.*

<sup>61</sup> NYC Department of Health and Mental Health, *Human Papillomavirus (HPV)*,

<http://www.nyc.gov/html/doh/html/diseases/imm-hpv.shtml>

<sup>62</sup> Courtney Gross, *Access to the HPV Vaccine in NYC*, Gotham Gazette, Jul 03, 2007,

<http://www.gothamgazette.com/index.php/health/3604-access-to-the-hpv-vaccine-in-nyc>

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res. No. 531-A:)**

Res. No. 531-A

**Resolution recognizing January as Cervical Health Awareness Month in New York City.**

By The Speaker (Council Member Mark-Viverito) and Council Members Cumbo, Johnson, Constantinides, Eugene, Gentile, Gibson, Koo, Lander, Levine, Mendez, Richards, Rose, Wills, Crowley, Kallos, Cohen, Rodriguez, Cornegy, Williams and Ulrich.

**Whereas**, The American Cancer Society (ACS) estimates that human papillomavirus (HPV) infections are responsible for nearly all cervical cancers; and

**Whereas**, The National Cervical Cancer Coalition (NCCC) finds that approximately 14 million new cases of sexually transmitted HPV occur in the United States each year; and

**Whereas**, The NCCC estimates that 70 percent of women and men will come into contact with HPV during their life; and

**Whereas**, According to the Centers for Disease Control and Prevention (CDC), HPV usually resolves itself within two years; and

**Whereas**, However, certain types of HPV do not resolve themselves and can cause genital warts, cervical cancer, anal cancer, vaginal cancer, vulvar cancer, penile cancer, and oropharyngeal cancer; and

**Whereas**, Cervical cancer is the most common HPV-associated cancer; and

**Whereas**, The CDC estimates that about 10,000 women in the United States are diagnosed with cervical cancer annually and approximately 4,000 women die each year of cervical cancer; and

**Whereas**, According to ACS, cervical cancer and pre-cancer can be a risk factor for anal cancer; and

**Whereas**, Cervical cancer is highly preventable because screening tests and a vaccine to prevent HPV infections are available; and

**Whereas**, Abnormal cell changes on the cervix caused by HPV can be detected through a Pap test; and

**Whereas**, When cervical cancer is found early, it is highly treatable and associated with long-term survival; and

**Whereas**, Being vaccinated before exposure to HPV helps protect women against cervical cancer and the precancerous lesions that precede it; and

**Whereas**, The CDC recommends the HPV vaccine for girls and boys at age 11 or 12 years to allow time to develop an immune response before becoming sexually active; and

**Whereas**, According to the ACS, cervical cancer was once one of the most common causes of cancer death for American women; and

**Whereas**, The cervical cancer death rate has gone down by more than 50 percent over the last 30 years mostly due to increased screenings; and

**Whereas**, Lives can be saved by increasing awareness of vaccination and screening; and

**Whereas**, In 2010, the United States Congress recognized January as National Cervical Health Awareness Month; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes January as Cervical Health Awareness Month in New York City.

COREY D. JOHNSON, *Chairperson*; MARIA del CARMEN ARROYO, ROSIE MENDEZ, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr.; Committee on Health, January 21, 2015.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote Res. No. 532-A

**Report of the Committee on Health in favor of approving, as amended, a resolution calling upon the New York State Legislature to pass legislation permitting health care practitioners to provide treatment to youth for the prevention of human papillomavirus, a common virus that can cause cancer.**

The Committee on Health, to which the annexed Land Use item was referred on January 7, 2015 (Minutes, page 113), respectfully

**REPORTS:**

**(For text of the report, please see the Report of the Committee on Health for Res No. 531-A printed in this voice-vote Resolutions section of these Minutes above)**

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res. No. 532-A:)**

Res. No. 532-A

**Resolution calling upon the New York State Legislature to pass legislation permitting health care practitioners to provide treatment to youth for the prevention of human papillomavirus, a common virus that can cause cancer.**

By The Speaker (Council Member Mark-Viverito) and Council Members Cumbo, Johnson, Chin, Constantinides, Dickens, Eugene, Gentile, Gibson, Koo, Lander, Levine, Mendez, Richards, Rose, Crowley, Kallos, Cohen, Rodriguez, Cornegy and Williams.

**Whereas**, According to the Centers for Disease Control and Prevention (CDC), HPV is so common that nearly all sexually active men and women contract it at some point in their lives; and

**Whereas**, According to the CDC, roughly 79 million Americans are currently infected with human papillomavirus; and

**Whereas**, According to the National Cancer Institute (NCI), HPV infections account for approximately five percent of all cancers worldwide; and

**Whereas**, According to NCI, HPV infections can cause genital warts, cervical cancer, anal cancer, vaginal cancer, vulvar cancer, penile cancer, and oropharyngeal cancer; and

**Whereas**, The American Cancer Society (ACS) estimates that HPV infections are responsible for nearly all cervical cancers and anal cancers, about seventy percent of all vaginal cancers and vulvar cancers, roughly sixty percent of all penile cancers, and over seventy percent of all oropharyngeal cancers; and

**Whereas**, The CDC estimates that about 10,000 women in the United States are diagnosed with cervical cancer annually; and

**Whereas**, According to CDC, approximately 4,000 women in the United States die each year as a result of contracting cervical cancer; and

**Whereas**, HPV-related anal and oropharyngeal cancers rates are rising; and,

**Whereas**, The CDC estimates that about 21,000 HPV-related cancers could be prevented each year by getting vaccinated for HPV; and

**Whereas**, Two vaccines, Gardasil and Cervarix, are available to the public and protect against the most common types of HPV; and

**Whereas**, Cervarix prevents the two HPV types which cause 70 percent of cervical cancers; and

**Whereas**, Gardasil prevents four types of HPV and has been shown to protect against genital warts and cancers of the anus, vagina and vulva, in addition to cervical cancer; and

**Whereas**, Gardasil 9 is a new vaccine that will be distributed beginning February 2015; it prevents nine types of HPV and has the potential to prevent up to 90 percent of cervical, vulvar, vaginal and anal cancers, as well as genital warts; and

**Whereas**, The vaccines are administered in three doses over a period of six months; and

**Whereas**, The CDC recommends that all boys and girls ages 11 and 12 receive the vaccines, and that young women and men can be vaccinated up to the age of 26; and

**Whereas**, The New York City Department of Health and Mental Hygiene and CDC recommend administering the vaccines at a young age when immune response is highest and before sexual activity and possible exposure to HPV; and

**Whereas**, The Food and Drug Administration has approved and certified Gardasil, Cervarix and Gardasil 9 as safe and effective vaccines since 2006, 2009 and 2014, respectively; and

**Whereas**, Gardasil is approved for both males and females between ages 9 and 26, Cervarix is approved for females between ages 9 and 26, and Gardasil 9 is approved for females between ages 9 and 26 and males ages 9 through 15; and

**Whereas**, A study published in the Journal of Infectious Diseases revealed that among females in the United States between ages 14 to 19, the prevalence of HPV infections has decreased from 11.5% between the years 2003 and 2006 to 5.1% after Gardasil was available, specifically between the years 2007 and 2010; and



**Whereas**, In 2007, Australia implemented a nationally funded program offering Gardasil free to girls between ages 12 to 13, and during the two years that followed implemented similar programs for girls and women between ages 13 and 26; and

**Whereas**, A study conducted by the University of South Wales revealed that since the implementation of the program, the proportion of women in Australia under age 21 being diagnosed as having genital warts has decreased from 11.5% in 2007 to 0.85% in 2011; and

**Whereas**, The program in Australia demonstrates the effectiveness of drastically reducing HPV diagnoses by increasing access to the HPV vaccine; and

**Whereas**, While minors in New York State can access sexual and reproductive health services without parental consent, preventative services, such as the HPV vaccine, are not explicitly listed in State law as being permitted without parental consent; and

**Whereas**, Senator Liz Krueger and Assembly Member Amy Paulin introduced legislation in 2013 (S.3134-A/A.497-A) which would permit health care practitioners to provide health care related to the prevention of sexually transmissible diseases (STDs), including administering vaccines, to persons under the age of 18 without a parent's or guardian's consent; and

**Whereas**, Assembly Member Paulin has reintroduced this legislation in 2015 (A.1528) and Senator Krueger has stated she will reintroduce as well; and

**Whereas**, In 2012, California similarly began allowing minors to unilaterally consent to STD prevention services, including the HPV vaccine; and

**Whereas**, New York State should ensure that minors have access to the tools they need to prevent certain sexually transmitted diseases which can ultimately cause cancer; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass legislation permitting health care practitioners to provide treatment to youth for the prevention of human papillomavirus, a common virus that can cause cancer.

COREY D. JOHNSON, *Chairperson*; MARIA del CARMEN ARROYO, ROSIE MENDEZ, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr.; Committee on Health, January 21, 2015.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 544

**Report of the Committee on Women's Issues in favor of approving a Resolution calling upon the United States Congress to pass legislation to protect a woman's health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and ensuring legal, safe abortion care is available to any woman who needs it.**

The Committee on Women's Issues, to which the annexed preconsidered Land Use item was referred on January 22, 2015, respectfully

## REPORTS:

### INTRODUCTION

On January 21, 2015, the Committee on Women's Issues, chaired by Council Member Laurie Cumbo held a hearing on Preconsidered Res. No. 544, a resolution calling upon the United States Congress to pass legislation to protect a woman's health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and ensuring legal, safe abortion care is available to any woman who needs it. Among the witnesses were women's health providers and advocates. At the hearing, the Committee voted unanimously in favor of Preconsidered Res. No. 544.

### Background

January 22, 2015 will mark 42 years since the Roe v. Wade decision legalized abortion throughout the United States. Central to the decision is the premise that the right to make childbearing choices is fundamental to women's lives and their ability to participate fully and equally in society.<sup>1</sup> In an effort to weaken this decision, many states have been implementing regulations and legislation that restrict women and providers. According to the Guttmacher Institute, in just the last four years, states

have enacted 231 abortion restrictions.<sup>2</sup> Many of these regulations place undue hardships on women and delay timely care.

In order to address many of these concerns, the Women's Health Protection Act (WHPA) was introduced (and later died) in the last Congressional session.<sup>3</sup> That legislation aimed at protecting a woman's right to safe and legal abortion by limiting restrictions on the provision of abortion services. Preconsidered Res. No. 544 would call on Congress to reintroduce and pass WHPA or similar legislation in order to protect reproductive health choices for all women in all states.

### Preconsidered Res. No. 544

Preconsidered Res. No. would note that in 1973, the United States Supreme Court legalized abortion throughout the country with the Roe v. Wade decision. The Preconsidered Resolution would indicate that central to the decision is the premise that the right to make childbearing choices is fundamental to women's lives and their ability to participate fully and equally in society. The Preconsidered Resolution would point out that since 1973, many states have passed measures with the intentions of whittling away at this right.

The Preconsidered Resolution would state that according to the Guttmacher Institute, in just the last four years, states have enacted 231 abortion restrictions. Preconsidered Res. No. 544 would indicate that many of these restrictions create numerous delays and hardships for women such as denial of access to early abortion procedures, increased risks to health and increased expenses as well as burdensome logistical planning. The Preconsidered Resolution would state that often times these burdens fall more heavily on low-income women, women of color, young women and women living in rural areas.

Preconsidered Res. No. 544 would point out that according to July 2014 testimony provided by Nancy Northup, the CEO of the Center for Reproductive Rights, "... the only thing holding back the further spread of these very real threats to women's health and lives are court orders blocking these laws from taking effect. The Preconsidered Resolution would state that in order to address many of these concerns the Women's Health Protection Act (WHPA) was introduced, and later died, in the last Congressional session. The Preconsidered Resolution would note that the the WHPA would protect a woman's right to safe and legal abortion by limiting restrictions on the provision of abortion services. The Preconsidered Resolution would indicate that the WHPA's findings state that "Congress has the authority to protect women's ability to access abortion services pursuant to its powers under the Commerce Clause and its powers under section 5 of the Fourteenth Amendment to the Constitution to enforce the provisions of section 1 of the Fourteenth Amendment."

The Preconsidered Resolution would state that it is essential that this legislation be re-introduced and passed in this current session of Congress because 42 years after the Roe v. Wade decision there is a renewed threat to women's access to safe and affordable abortions. The Preconsidered Resolution would note that reproductive health care is an important component of women's overall health, and reproductive freedom is equally important to women's safety and well-being. Preconsidered Res. No. would indicate that despite Roe v. Wade being the law of the land, many states have drastically restricted women's ability to access necessary and timely reproductive health care and limited doctors' ability to provide such care. Finally, the Preconsidered Resolution would state that the Council of the City of New York calls upon the United States Congress to pass legislation to protect a woman's health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and ensuring legal, safe abortion care is available to any woman who needs it.

<sup>1</sup>See Roe v. Wade, 410 U.S. 113 (1973).

<sup>2</sup>In Just the Last Four Years, States Have Enacted 231 Abortion Restrictions, January 5, 2015, available at <http://www.guttmacher.org/media/inthenews/2015/01/05/index.html>, accessed on January 15, 2015.

<sup>3</sup>H.R. 3471/S.1696 113 Congress, available at <https://www.congress.gov/bill/113th-congress/house-bill/3471>.

*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)**

LAURIE A. CUMBO, *Chairperson*; DARLENE MEALY, ELIZABETH S. CROWLEY, KAREN KOSLOWITZ, BEN KALLOS; Committee on Women's Issues, January 21 2015.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following 4 Council Members formally voted against this item: Council Members Cabrera, Matteo, Vallone, and Ignizio.

The following 2 Council Members formally abstained to vote on this item: Council Members Ulrich and Williams.

Adopted by the Council by voice-vote.

At this point the Speaker (Council Member Mark-Viverito) announced that the following items had been **preconsidered** by the Committee on Cultural Affairs, Libraries and International Intergroup Relation and had been favorably reported for adoption.

Report for voice-vote Res. No. 548

**Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution commemorating the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27<sup>th</sup>, 2015.**

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed preconsidered Land Use item was referred on January 22, 2015, respectfully

**REPORTS:**

**Introduction**

On January 21, 2015, the Committee Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member James Van Bramer, will hold a hearing on Preconsidered Res. No. 548, a resolution commemorating the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27th, 2015. Holocaust survivors, community based organizations, non-profit organizations, professional associations, museum representatives, and academic institutions have been invited to testify. The Committee will also hear testimony on Res. No. 507, a resolution declaring January 15th - 22nd of each year as Peace Week in the City of New York. Community based organizations and non-profit organizations have been invited to testify.

**Background on Preconsidered Res. No. 548**

January 2015 marks seventy years since the liberation of Auschwitz-Birkenau, the largest complex of camps established by the Nazis. It is estimated that a minimum of 1.3 million people were deported to Auschwitz between 1940 and 1945 and that of these, at least 1.1 million were murdered.<sup>1</sup> By the end of World War II, approximately 6,000,000 Jews were murdered, along with millions of Gypsies, Poles, and others.<sup>2</sup> On January 27, 1945, Allied Forces entered Auschwitz and liberated more than 7,000 remaining prisoners, who were mostly ill and dying.<sup>3</sup> As of 2011, approximately 73,000 Holocaust survivors lived in and around New York City.<sup>4</sup> A 2005 United Nations Resolution established January 27<sup>th</sup> as Holocaust Remembrance Day.<sup>5</sup> This resolution commemorates the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27<sup>th</sup>, 2015.

**Preconsidered Res. No. 548**

Preconsidered Res. No. 548 would indicate that according to the Simon Wiesenthal Center, early in 1942, the Nazi hierarchy formally decided on the "Final Solution" to the "Jewish problem" - annihilation. The resolution would indicate that throughout occupied Europe, genocide was begun, and by 1945, at the end of World War II, six million Jews and millions of others had been killed.

Preconsidered Res. No. 548 would note that Auschwitz-Birkenau was a huge complex of camps including Auschwitz and Auschwitz II-Birkenau, Auschwitz III-Monowitz and 45 satellite camps, each dedicated variously to killing centers, concentration, and forced-labor camps. The resolution would further note that it has been estimated that a minimum of 1.3 million people were sent to Auschwitz between 1940 and 1945 and that of these, at least 1.1 were murdered. The resolution would indicate that January 2015 marks seventy years since the liberation of Auschwitz by Allied forces.

The resolution would further point out that the United Nations' Resolution in 2005 establishing January 27th as Holocaust Remembrance Day, on the anniversary of the liberation of Auschwitz-Birkenau said in part:

Reaffirming that the Holocaust, which resulted in the murder of one third of the Jewish people along with countless members of other minorities, will forever be a warning to all people of the dangers of hatred, bigotry, racism, and prejudice.

The resolution would indicate that in response to the destruction and depravity of the Nazi regime, institutions such as the Simon Wiesenthal Museum of Tolerance New York, and elsewhere throughout the world, have been established, to honor the memory of the victims and through education held give meaning to the expression "Never Again." The resolution would also indicate according to Selfhelp Community Services, Inc., in 2011 there were approximately 73,000 Holocaust survivors living in and around New York City, many whom were liberated from Auschwitz-Birkenau.

The resolution would further note that, particularly in light of recent events in Paris, France, the words of Holocaust survivor Eli Wiesel, who was barely alive in Auschwitz as the camp was liberated by Allied forces, resound louder than ever:

We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Whenever men and women are persecuted because of their race, religion, or political views, that place must – at that moment – become the center of the universe.<sup>6</sup>

Finally, Preconsidered Res. No. 548 would assert that the Council of the City of New York commemorates the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27th, 2015.

<sup>1</sup> United States Holocaust Memorial Museum. *Holocaust Encyclopedia*. 20 Jan 2015.

<<http://www.ushmm.org/wlc/en/article.php?ModuleId=10005189->>

<sup>2</sup> Id.

<sup>3</sup> Id.

<sup>4</sup> Selfhelp Community Services, Inc. *Holocaust Survivors in New York: Today Through 2025*. 20 Jan 2015. <<http://www.aging.senate.gov/download/elihu-kover-supplemental->>

<sup>5</sup> Resolution adopted by the General Assembly on the Holocaust Remembrance (A/RES/60/7, 1 November 2005)

<sup>6</sup> Elie Wiesel - Acceptance Speech". *Nobelprize.org*. Nobel Media AB 2014. Web. 14 Jan 2015. <[http://www.nobelprize.org/nobel\\_prizes/peace/laureates/1986/wiesel-acceptance\\_en.html>](http://www.nobelprize.org/nobel_prizes/peace/laureates/1986/wiesel-acceptance_en.html>)

*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)**

JAMES G. VAN BRAMER, *Chairperson*; ELIZABETH S. CROWLEY, JULISSA FERRERAS, PETER A. KOO, STEPHEN T. LEVIN, ANDY L. KING, LAURIE A. CUMBO, HELEN K. ROSENTHAL. Committee on Cultural Affairs, Libraries and International Intergroup Relations, January 21, 2015. *Other Council Members Attending: Williams, Deutsch, Treyger, Levine, Espinal, Miller and Cornegy*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing no objections, the Public Advocate (Ms. James) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

During the voice-vote Resolutions and General Discussion segments of this Meeting, there were several disruptions from certain individuals seated in the balcony area. The gallery was subsequently cleared.

**INTRODUCTION AND READING OF BILLS**

Preconsidered Int. No. 620

By Council Members Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Crowley, Dickens, Espinal, Gentile, Gibson, Greenfield, Ignizio, King, Lancman, Lander, Levine, Maisel, Matteo, Mealy, Miller, Palma, Reynoso, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vallone, Van Bramer, Williams, Cornegy, Kallos and Levin (in conjunction with the Mayor).

**A Local Law in relation to the naming of 56 thoroughfares and public places, Dave Reid Jr. Place, Borough of the Bronx, Prince Joshua Avitto Way, Borough of Brooklyn, Rev. Wenceslao Martinez Way, Borough of Brooklyn, José Francisco Peña Gomez Boulevard, Borough of the Bronx, DJ Scott la Rock Boulevard, Borough of the Bronx, Luis Muñoz Marín Way, Borough of the Bronx, Basil Paterson Boulevard, Borough of the Bronx, Oscar de la Renta Boulevard, Borough of the Bronx, Frank T. Modica Way, Borough of Manhattan, Norman Buchbinder Way, Borough of Manhattan, Bronx Science Boulevard, Borough of the Bronx, Archbishop Iakovos of America, Borough of Queens, Steven Frosch Way, Borough of Queens, James Baldwin Place, Borough of Manhattan, Detective Rafael Ramos Way, Borough of Brooklyn, Frank J. Santo Way, Borough of Brooklyn, Judge Hansel L. McGee Place, Borough of the Bronx, Bishop Robert Green Way, Borough of the Bronx, Angelo "Chubby" Campanella, Borough of Brooklyn, Rabbi Weissmandl Way, Borough of Brooklyn, Jimmy Zappalorti Lane, Borough of Staten Island, FDNY Lt. Matt Ambelas Way, Borough of Staten Island, Milton Alexander Way, Borough of the Bronx, Bishop Ignatius A. Catanello Way, Borough of Queens, Barry Weinbrom Way, Borough of Brooklyn, Lydia Buffington Way, Borough of Brooklyn, John Cortese Way, Borough of Brooklyn, George Carlin Way, Borough of Manhattan, Barnard Way, Borough of Manhattan, Edwin Thomas Way, Borough of Brooklyn, William Creech Vietnam Veteran Way, Borough of Staten Island, Dr. Jerry V. Burns Way, Borough of Brooklyn, Henry McCoy Jr. Way, Borough of Queens, Kenneth Anthony Nugent Way, Borough of Queens, Kevin Lamont Miller Jr. Way, Borough of Queens, Kalyana Ranasinghe Way, Borough of the Bronx, Ann Maggio Way, Borough of Queens, Max Bond Way, Borough of Manhattan, Jacob Birnbaum Way, Borough of Manhattan, Stanley Jay Way, Borough of Staten Island, Battalion Chief Charles L. Kasper Way, Borough of Staten Island, Vincent C. Pompa Way, Borough of Staten Island, Cooper Stock Way, Borough of Manhattan, PCS Way, Borough of Manhattan, Barbara Dattilo Way, Borough of Brooklyn, Brother Jack SanFilippo Way, Borough of Brooklyn, Detective WenJian Liu Way, Borough of Brooklyn, Jack Maple Place, Borough of Queens, Benjamin Fried Boulevard, Borough of Queens, Robert C. Lohnes Way, Borough of Queens, Sunnyside Garden Arena Way, Borough of Queens, Alice Cardona Way, Borough of Queens, Luke Adams Way, Borough of Queens, Pecola and Nicholas Rodriguez Way, Borough of Brooklyn, Debbie Bowden Way, Borough of the Bronx, Margaret Mack Triangle, Borough of the Bronx and the repeal of sections 14, 15, 24, 25, 40 and 62 of local law number 34 for the year 2014, sections**



**34 and 53 of local law number 131 for the year 2013 and section 46 of local law number 50 for the year 2013.**

*Be it enacted by the Council as follows:*

Section 1. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Dave Reid Jr. Place	Longfellow Avenue	Between 173 <sup>rd</sup> Street and 174 <sup>th</sup> Street

§2. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Prince Joshua Avitto Way	None	At the southeast corner of Stanley Avenue and Schenck Avenue

§3. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Rev. Wenceslao Martinez Way	None	At the intersection of Williams Avenue and Hinsdale Street

§4. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
José Francisco Peña Gomez Boulevard	None	At the intersection of Beach 130 <sup>th</sup> Street and Newport Avenue

§5. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
DJ Scott la Rock Boulevard	None	At the intersection of 195 <sup>th</sup> Street and Kingsbridge Road

§6. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Luis Muñoz Marín Way	None	At the intersection of Kingsbridge Road and Jerome Avenue

§7. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Basil Paterson Boulevard	None	At the intersection of 195 <sup>th</sup> Street and Reservoir Avenue

§8. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Oscar de la Renta Boulevard	None	At the intersection of East Fordham Road and Creston Avenue adjacent to Muller Triangle

§9. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Frank T. Modica Way	Rutgers Street	Between South Street and Cherry Street

§10. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Norman Buchbinder Way	None	At the southeast corner of West 8 <sup>th</sup> Street and MacDougal Street

§11. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Bronx Science Boulevard	205 <sup>th</sup> Street	Between Goulden Avenue and Paul Avenue

§12. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Archbishop Iakovos of America	33 <sup>rd</sup> Street	Between Ditmars Boulevard and 23 <sup>rd</sup> Avenue

§13. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Steven Frosch Way	67 <sup>th</sup> Drive	Between 78 <sup>th</sup> Street and 79 <sup>th</sup> Street

§14. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
James Baldwin Place	128 <sup>th</sup> Street	Between Madison Avenue and 5 <sup>th</sup> Avenue

§15. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Detective Rafael Ramos Way	Ridgewood Avenue	Between Shepherd Avenue and Highland Place

§16. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Frank J. Santo Way	None	At the southwest corner of 82 <sup>nd</sup> Street and 13 <sup>th</sup> Avenue

§17. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Judge Hansel L. McGee Place	East 165 <sup>th</sup> Street	Between Boston Road and Forest Avenue

§18. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Bishop Robert Green Way	3 <sup>rd</sup> Avenue	Between 171 <sup>st</sup> Street and St. Paul's Place

§19. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Angelo "Chubby" Campanella	None	At the southwest corner of 77 <sup>th</sup> Street and 21 <sup>st</sup> Avenue

§20. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Rabbi Weissmandl Way	50 <sup>th</sup> Street	Between 10 <sup>th</sup> Avenue and 20 <sup>th</sup> Avenue

§21. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Jimmy Zappalorti Lane	None	At the intersection of Androvette Street and Kreisler Street

§22. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
FDNY Lt. Matt Ambelas Way	None	At the intersection of Ramblewood Avenue and Oakdale Street

§23. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Milton Alexander Way	None	At the intersection of Asch Loop and Bartow Avenue

§24. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Bishop Ignatius A. Catanello Way	74 <sup>th</sup> Avenue	Between 175 <sup>th</sup> Street and Utopia Parkway

§25. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Barry Weinbrom Way	5 <sup>th</sup> Street	Between 6 <sup>th</sup> Avenue and 7 <sup>th</sup> Avenue

§26. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Lydia Buffington Way	Luquer Street	Between Clinton Street and Hamilton Avenue

§27. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
John Cortese Way	7 <sup>th</sup> Avenue	Between 7 <sup>th</sup> Street and 8 <sup>th</sup> Street

§28. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
George Carlin Way	400 block of 121 <sup>st</sup> Street	Between Morningside Drive and Amsterdam Avenue

§29. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Barnard Way	None	At the intersection of 116 <sup>th</sup> Street and Broadway

§30. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Edwin Thomas Way	None	At the intersection of East 49 <sup>th</sup> Street and Fillmore Avenue

§31. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
William Creech Vietnam Veteran Way	None	At the intersection of Felton Street and Fahy Avenue

§32. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Dr. Jerry V. Burns Way	Greene Avenue	Between Patchen Avenue and Broadway

§33. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Henry McCoy Jr. Way	None	At the intersection of Ovid Place and Dormans Road

§34. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Kenneth Anthony Nugent Way	None	At the intersection of 91 <sup>st</sup> Avenue and 188 <sup>th</sup> Street

§35. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Kevin Lamont Miller Jr. Way	None	At the intersection of Springfield Boulevard and Linden Boulevard

§36. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Kalyana Ranasinghe Way	None	At the intersection of Metropolitan Avenue and Wood Road

§37. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Ann Maggio Way	Suydam Street	Between Cypress Avenue and the Grover Cleveland Athletic Field

§38. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Max Bond Way	None	At the southeast corner of St. Nicholas and 162 <sup>nd</sup> Street

§39. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Jacob Birnbaum Way	Cabrini Boulevard	Between 186 <sup>th</sup> Street and 187 <sup>th</sup> Street

§40. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Stanley Jay Way	None	At the northeast corner of Forest Avenue and Oakland Avenue

§41. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Battalion Chief Charles L. Kasper Way	None	At the northeast corner underneath the Bard Avenue sign and Amelia Court

§42. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Vincent C. Pompa Way	None	At the northwest corner of Maple Parkway and Forest Avenue

§43. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Cooper Stock Way	None	Northwest corner of West End Avenue and West 97 <sup>th</sup> Street (300 Block)

§44. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
PCS Way	None	At the southwest corner of Columbus Avenue and West 60 <sup>th</sup> Street and the southeast corner of Amsterdam Avenue and West 60 <sup>th</sup> Street (100 Block)

§45. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Barbara Dattilo Way	None	At the intersection of Avenue W and East 2 <sup>nd</sup> Street

§46. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Brother Jack SanFilippo Way	None	At the intersection of West 29 <sup>th</sup> Street and Neptune Avenue

§47. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Detective WenJian Liu Way	West 6 <sup>th</sup> Street	Between Avenue S and Avenue T

§48. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Jack Maple Place	None	At the intersection of 108 <sup>th</sup> Street and Park Lane South

§49. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Benjamin Fried Boulevard	None	At the northwest corner of 43 <sup>rd</sup> Avenue and Bell Boulevard

§50. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Robert C. Lohnes Way	145 <sup>th</sup> Place	Between 15 <sup>th</sup> Avenue and 17 <sup>th</sup> Avenue

§51. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Sunnyside Garden Arena Way	None	At the intersection of 45 <sup>th</sup> Street and Queens Boulevard

§52. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Alice Cardona Way	56 <sup>th</sup> Street	Between Woodside Avenue and Skillman Avenue

§53. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Luke Adams Way	46 <sup>th</sup> Street	Between Queens Boulevard and Greenpoint Avenue

§54. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Pecola and Nicholas Rodriguez Way	East 40 <sup>th</sup> Street	Between Foster Avenue and Farragut Road

§55. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Debbie Bowden Way	Independence Avenue	Between West 235 <sup>th</sup> Street and West 236 <sup>th</sup> Street

§56. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<i>New Name</i>	<i>Present Name</i>	<i>Limits</i>
Margaret Mack Triangle	None	40 West Mosholu Parkway South

§57. Sections 14, 15, 24, 25, 40 and 62 of local law number 34 for the year 2014 are hereby REPEALED.

§58. Sections 34 and 53 of local law number 131 for the year 2013 are hereby REPEALED.

§59. Section 46 of local law number 50 for the year 2013 is hereby REPEALED.

§60. This local law shall take effect immediately.

Adopted by the Council (preconsidered and approved by the Committee on Parks and Recreation).

Int. No. 621

By Council Members Chin, Ferreras, Arroyo, Espinal, Eugene, Gentile, Johnson, Koo, Mendez, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to providing tenants with information regarding the senior citizens rent increase exemption and the disability rent increase exemption.**

Be it enacted by the Council as follows:

Section 1. Chapter three of title 26 of the administrative code of the city of New York is amended by adding a new section 26-416 to read as follows:

§ 26-416 Information concerning rent increase exemptions. a. For the purposes of this section the following terms shall have the following meanings:

1. "Department" shall mean the department of housing preservation and development.

2. "Dwelling unit" shall mean a dwelling unit as defined in paragraph thirteen of subdivision a of section 27-2004 of this code.

3. "Multiple dwelling" shall mean a dwelling as defined in paragraph seven of subdivision a of section 27-2004 of this code.

4. "Owner" shall mean an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of this code.

b. Every owner of a multiple dwelling shall deliver or cause to be delivered to each tenant of a dwelling unit subject to regulation under this chapter or prospective tenant of a dwelling unit subject to regulation under this chapter, along with a lease or lease renewal form, a notice regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

c. The department shall determine the form of the notice required by subdivision b of this section. Such notice shall include a list of eligibility requirements and a description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any owner who fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each dwelling unit subject to regulation under this chapter for which there was a failure to comply. Such civil penalty may be recovered by the department 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.

§2. Chapter four of title 26 of the administrative code of the city of New York is amended by adding a new section 26-509.1 to read as follows:

§ 26-509.1 Information concerning rent increase exemptions. a. For the purposes of this section the following terms shall have the following meanings:

1. "Department" shall mean the department of housing preservation and development.

2. "Dwelling unit" shall mean a dwelling unit as defined in paragraph thirteen of subdivision a of section 27-2004 of this code.

3. "Multiple dwelling" shall mean a dwelling as defined in paragraph seven of subdivision a of section 27-2004 of this code.

4. "Owner" shall mean an owner as defined in paragraph forty-five of subdivision a of section 27-2004 of this code.

b. Every owner of a multiple dwelling shall deliver or cause to be delivered to each tenant of a dwelling units subject to regulation under the emergency tenant protection act or prospective tenant of a dwelling unit subject to regulation under the emergency tenant protection act, along with a lease or lease renewal form, a notice regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

c. The department shall determine the form of the notice required by subdivision b of this section. Such notice shall include a list of eligibility requirements and a description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any owner who fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each dwelling unit subject to regulation under the emergency tenant protection act for which there was a failure to comply. Such civil penalty may be recovered by the department 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. Chapter seven of title 26 of the administrative code of the city of New York is amended by adding a new section 26-618 to read as follows:

§ 26-618 Information concerning rent increase exemptions. a. For the purposes of this section "covered dwelling unit" shall mean that part of a dwelling which is subject to the provisions of either article II, IV, V, or XI of the private housing finance law, or that part of a dwelling which was or continues to be subject to a mortgage insured or initially insured by the federal government pursuant to section two hundred thirteen of the national housing act, as amended.

b. For each covered dwelling unit owned or operated by a housing company, such company shall deliver or cause to be delivered, along with a lease or lease renewal form, a notice to the tenant of such unit regarding the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

c. The department of housing preservation and development shall determine the form of the notice required by subdivision b of this section. Such notice shall include

a list of eligibility requirements and a description of the application process for the senior citizens rent increase exemption and the disability rent increase exemption authorized under section 467-b of the real property tax law.

d. Any housing company that fails to comply with the provisions of this section shall be liable for a civil penalty of one hundred fifty dollars for each covered dwelling unit for which there was a failure to comply. Such civil penalty may be recovered by the department of housing preservation and development 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.

§4. This local law shall take effect 120 days after its enactment into law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 540

**Resolution calling upon the Board of Trustees of the State University of New York to require a new application and public hearing when the designated community school district in a charter school application changes.**

By Council Members Chin, Dromm, Mendez, Rodriguez, Arroyo, Gentile, Johnson, Levine, Rose and Rosenthal.

**Whereas**, The Board of Trustees of the State University of New York ("the Board") is designated by state law as a "charter entity" tasked with reviewing charter school applications; and

**Whereas**, In accordance with state law, the New York City Department of Education ("DOE") must hold a public hearing regarding any application for a new charter school in New York City; and

**Whereas**, DOE holds the required hearing in the community school district specified in the charter school application; and

**Whereas**, If the application's specified district is later changed to another district in the same borough, the Board has, in at least one instance and citing past precedent, viewed the change as "non-material" and recommended approval of the application without requiring any further public hearing; and

**Whereas**, Different community school districts, even within the same borough, can have vastly different demographic make-ups and educational needs; and

**Whereas**, The current procedure deprives communities of the right to be heard regarding charter school applications that will affect their neighborhoods; and

**Whereas**, Additionally, this procedure fails to require applicants to take into account relevant statistics and demographics in instances in which the designated district is changed late in the application process, allowing applications that contain irrelevant information associated with the previously-designated district to proceed unchanged; and

**Whereas**, A change as significant as designating a different community school district in an application should be treated as "material" by the Board; and

**Whereas**, In order to enhance the transparency and effectiveness of the charter school application process, the Board should ensure that each application fully reflects the community school district that the applicant intends to serve, and that the public hearing has been held in that district, before it votes to recommend approval; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the Board of Trustees of the State University of New York to require a new application and public hearing when the designated community school district in a charter school application changes.

Referred to the Committee on Education.

Res. No. 541

**Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a property tax credit for commercial landlords who voluntarily limit the amount of rent increases to small business owner tenants upon lease renewal.**

By Council Members Cornegy, Arroyo, Chin, Constantinides, Espinal, Eugene, Gentile, Johnson, Mendez and Rose.

**Whereas**, New York City's small and local businesses define the identities of its many diverse neighborhoods and are integral to creating vibrant, successful communities; and

**Whereas**, Often these small and local businesses open in less popular or less trafficked neighborhoods and their presence causes the neighborhood to become transformed into a more sought-after area; and

**Whereas**, According to the Real Estate Board of New York's Fall 2013 Retail Report, in areas where these boutique, one-of-a-kind stores create neighborhood appeal, the asking rents tend to rise as established retailers who want to benefit from the interest created by the small businesses come into the neighborhood and create demand and competition for space; and

**Whereas,** Once the commercial rents rise, the very businesses that generated the neighborhood appeal in the first place are no longer able to afford to remain in the area and are often forced to close or relocate; and

**Whereas,** The City has an interest in creating a commercial environment in which these small and local businesses can thrive and benefit from the neighborhood popularity that they themselves created; and

**Whereas,** The City also has an interest preventing retail homogenization and the wholesale replacement of “mom and pop” neighborhood stores with big-box retailers; and

**Whereas,** Within the past several years, numerous small and locally-owned businesses that many would describe as New York City institutions were forced to close or relocate as a result of exorbitant rent increases sought by landlords during the lease renewal process, including Bleecker Bob’s Records which closed in 2013 after 46 years in business in the West Village after the landlord reportedly sought a \$15,000 to \$20,000 monthly rent increase and which was replaced with a frozen yogurt chain store; Colony Music in Times Square, which closed in 2012 after 63 years in business after the landlord sought to raise its rent from \$1 million per month to \$5 million per month; the Second Avenue Deli which closed in 2006 after 51 years in business on the Lower East Side, and was replaced with a bank, after the landlord sought a \$9,000 increase to its \$24,000 per month rent; and CBGB, which opened in 1973 in the East Village and closed in 2006 after the landlord asked to increase its rent from \$19,000 per month to \$41,000 per month, was replaced by an upscale men’s clothing chain; and

**Whereas,** There are currently no legal protections for these businesses during the lease renewal process that would limit the amount of any rent increases sought by the commercial landlords; and

**Whereas,** There also are no tax incentives for commercial landlords to keep rents for small and local businesses affordable rather than obtain a higher rent from an established or chain business; and

**Whereas,** Similar incentives exist in the residential rent context, for example in the form of the Senior Citizen Rent Increase Exemption (“SCRIE”) program under which the rent of qualifying senior citizens is frozen at a certain level, thereby effectively providing them with an exemption from future rent increases, and compensates the landlord by providing him or her with a property tax abatement credit equal to the amount of the senior citizen’s future rent increases; and

**Whereas,** A tax incentive for commercial landlords that would enable the local businesses that make up the fabric of our communities to be able to continue to thrive would be beneficial both to these businesses and to the residents of the City; now, therefore be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a property tax credit for commercial landlords who voluntarily limit the amount of rent increases to small business owner tenants upon lease renewal.

Referred to the Committee on Finance.

Int. No. 622

By Council Members Crowley, Eugene, Koo and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to educate homeless persons on domestic violence and child abuse.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-317 to read as follows:

§ 21-317 *Distribution of domestic violence education materials a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

1. “Domestic violence” means any crime or violation, as defined in the penal law, which has been alleged to have been committed by any family or household member against any member of the same family or household, as family or household is defined in the social services law.

2. “Child abuse” means any crime or violation, as defined in the penal law, which has been alleged to have been committed against any minor child.

3. “Intake facility” means the Prevention Assistance and Temporary Housing and the Adult Family Intake Center.

b. The department shall issue and circulate appropriate written or electronic materials containing information with respect to domestic violence and child abuse. Such information shall be distributed to eligible homeless persons at an intake facility. At a minimum, such information shall include a video and an illustrated brochure explaining the nature and proper reporting of domestic violence and child abuse.

§ 2. This local law shall take effect 120 days after its enactment into law.

Referred to the Committee on General Welfare.

Res. No. 542

**Resolution calling upon the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).**

By Council Members Cumbo, Johnson, Ferreras, Arroyo, Chin, Espinal, Eugene, Lander, Mendez, Richards, Rose, Rosenthal and Rodriguez.

**Whereas,** The United States, along with its allies during the Second World War, helped to create the United Nations (“UN”); and

**Whereas,** The United States is one of the original founding members of the UN and one of five permanent members of the UN Security Council; and

**Whereas,** In addition to its offices in Geneva and Vienna, the UN is headquartered in New York City; and

**Whereas,** The UN engages in humanitarian work, international conflict prevention and peacekeeping, and seeks to expose and address human rights atrocities around the world; and

**Whereas,** The preamble to the UN Charter states that it seeks “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small;” and

**Whereas,** The Universal Declaration of Human Rights further states, “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, [color,] sex, language, religion, political or other opinion, national or social origin, property, birth or other status;” and

**Whereas,** The Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”) expands upon these human rights goals with a recognition of and a particular focus on the challenges that confront gender equality; and

**Whereas,** CEDAW commits ratifying states to incorporate the principle of gender equality in law, abolish laws that interfere with gender equity, create gender equality enforcement mechanisms, and pursue the elimination of discrimination against women by “persons, organizations and enterprises;” and

**Whereas,** According to the UN, CEDAW “... is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations;” and

**Whereas,** At the Copenhagen Conference on July 17<sup>th</sup> 1980, 64 countries signed onto CEDAW, including the United States; and

**Whereas,** The United States has yet to ratify CEDAW, and remains the only nation besides Palau, a country that is a Free Associated State with the United States, to sign CEDAW and not ratify it; and

**Whereas,** CEDAW had the support of President Carter who signed onto the Convention in July of 1980, but subsequently lacked presidential support until President Clinton submitted CEDAW to the Senate Foreign Relations Committee for review with a recommendation of support; and

**Whereas,** Nevertheless, President Clinton recommended the ratification of CEDAW with reservation, and suggested ratification with the understanding that the United States would not apply CEDAW to private conduct or women in combat, or accept the CEDAW definition of “comparable worth” as applied to equal pay for equal work or paid maternity leave, among other items, unless mandated by the US Constitution; and

**Whereas,** CEDAW was not ratified under President Clinton and did not enjoy presidential support again until the Obama Administration, which supports ratification without exception; and

**Whereas,** The unfortunate decision not to ratify CEDAW runs contrary to the United States’ progress and leadership with respect to human rights, particularly the rights of women; and

**Whereas,** For example, The United States was the first of the industrialized nations to recognize universal suffrage for women and full political rights, including the right to run for office; and

**Whereas,** Today there are 20 women in the United States Senate and 80 women in the House of Representatives; and

**Whereas,** While the United States has made great progress with respect to recognizing the personhood of women and the inalienable rights of women, challenges faced by American women remain and further progress is necessary on issues such as, equal pay for equal work, reproductive rights and family medical leave; and

**Whereas,** Many nations that cannot boast of the gender equality accomplishments achieved within the United States have completed their countries’ required governmental processes and formally adopted CEDAW, yet the United States has not, failing to lend support to the improvement of women’s lives around the world; and

**Whereas,** The failure to ratify CEDAW is incompatible with United States’ domestic and international interests; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the United States Senate to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Referred to the Committee on Women’s Issues.

Res. No. 543

**Resolution urging the United States Department of Education and Arne Duncan, Secretary of Education, to reconsider the “Gainful Employment” rule that as proposed could derail the educational careers of millions of Americans and have a disproportionately negative effect on low-income and minority students who want to attend college.**



By Council Members Cumbo, Richards and Rose.

**Whereas**, The United States Department of Education (“the Department”) has proposed regulations requiring career training programs, including for-profit institutions, community colleges and technical schools, to “prepare students for gainful employment in a recognized occupation,” or risk losing eligibility for Title IV federal financial aid; and

**Whereas**, In the Department’s proposed regulations, career programs would need to meet key requirements to establish that they sufficiently prepare students for gainful employment; and

**Whereas**, According to the Department’s website, “[i]nstitutions must certify that all gainful employment programs meet applicable accreditation requirements and state or federal licensure standards”; and

**Whereas**, According to the Department’s website, “[a]ll gainful employment programs must pass metrics to continue eligibility in the student financial aid program, including: the estimated annual loan payment of typical graduates does not exceed 20 percent of their discretionary earnings or 8 percent of their total earnings and the default rate for former students does not exceed 30 percent”; and

**Whereas**, According to the Department’s website, “[a]dditionally, institutions must publicly disclose information about the program costs, debt, and performance of their gainful employment programs so that students can make informed decisions”; and

**Whereas**, The Department’s argument for the proposed regulations is to target primarily for-profit institutions whose students disproportionately graduate with high student loan debt and federal default rates; and

**Whereas**, Although the Department has the best of intentions to mitigate this problem that may be prevalent among some institutions, it is unfair to many other schools that enable their students to achieve their educational and career goals; and

**Whereas**, Should the proposed “Gainful Employment” rule be implemented, an estimated 7.5 million students could be denied access to career programs over the next decade, according to *Forbes*, including students of color, low-income students, women, older adults, members of the armed forces and veterans who otherwise could not attain a college degree at a traditional institution of higher education, according to opponents of the rule; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon the United States Department of Education and Arne Duncan, Secretary of Education, to reconsider the “Gainful Employment” rule that as proposed could derail the educational careers of millions of Americans and have a disproportionately negative effect on low-income and minority students who want to attend college.

Referred to the Committee on Higher Education.

Preconsidered Res. No. 544

**Resolution calling upon the United States Congress to pass legislation to protect a woman’s health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and ensuring legal, safe abortion care is available to any woman who needs it.**

By Council Members Cumbo, Crowley, Johnson, Kallos, Garodnick, Chin, Lander, Levine and Mendez.

**Whereas**, In 1973, the United States Supreme Court legalized abortion throughout the country with the *Roe v. Wade* decision; and

**Whereas**, Central to the decision is the premise that the right to make childbearing choices is fundamental to women’s lives and their ability to participate fully and equally in society; and

**Whereas**, Since 1973, many states have passed measures with the intentions of whittling away at this right; and

**Whereas**, According to the Guttmacher Institute, in just the last four years, states have enacted 231 abortion restrictions; and

**Whereas**, Many of these restrictions create numerous delays and hardships for women such as denial of access to early abortion procedures, increased risks to health and increased expenses as well as burdensome logistical planning; and

**Whereas**, Often times these burdens fall more heavily on low-income women, women of color, young women and women living in rural areas; and

**Whereas**, According to July 2014 testimony provided by Nancy Northup, the CEO of the Center for Reproductive Rights, “. . . the only thing holding back the further spread of these very real threats to women’s health and lives are court orders blocking these laws from taking effect;” and

**Whereas**, In order to address many of these concerns the Women’s Health Protection Act (WHPA) was introduced, and later died, in the last Congressional session; and

**Whereas**, The WHPA would protect a woman’s right to safe and legal abortion by limiting restrictions on the provision of abortion services ; and

**Whereas**, The WHPA’s findings state that “Congress has the authority to protect women’s ability to access abortion services pursuant to its powers under the Commerce Clause and its powers under section 5 of the Fourteenth Amendment to the Constitution to enforce the provisions of section 1 of the Fourteenth

Amendment”; and

**Whereas**, It is essential that this legislation be re-introduced and passed in this current session of Congress because 42 years after the *Roe v. Wade* decision there is a renewed threat to women’s access to safe and affordable abortions; and

**Whereas**, Reproductive health care is an important component of women’s overall health, and reproductive freedom is equally important to women’s safety and well-being; and

**Whereas**, Despite *Roe v. Wade* being the law of the land, many states have drastically restricted women’s ability to access necessary and timely reproductive health care and limited doctors’ ability to provide such care; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the United States Congress to pass legislation to protect a woman’s health, her right to determine whether and when to bear a child, and her ability to exercise that right by limiting government interference with the provision of abortion services and ensuring legal, safe abortion care is available to any woman who needs it.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Women’s Issues).

Preconsidered Res. No. 545

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

By Council Members Ferreras and Kallos.

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

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

**Whereas**, On June 28, 2012, the Council adopted the expense budget for fiscal year 2013 with various programs and initiatives (the “Fiscal 2013 Expense Budget”); and

**Whereas**, On June 29, 2011, the Council adopted the expense budget for fiscal year 2012 with various programs and initiatives (the “Fiscal 2012 Expense Budget”); and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2012, Fiscal 2013, Fiscal 2014, and Fiscal 2015 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

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

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

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 3; and be it further

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

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

**Resolved**, That the City Council approves the changes in the designation of a certain organization receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

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

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Sports Training and Rolemodels for

Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Early Childhood Literacy Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 10; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 11; and be it further

**Resolved**, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition of Theaters of Color Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 12; and be it further

**Resolved**, That the City Council approves the changes in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 13; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the DYCD Food Pantries Initiative in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 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 HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2014 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 DYCD Food Pantries Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 16; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Food Pantries - DYCD Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 17; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2013 Expense Budget, as set forth in Chart 18; and be it further

**Resolved**, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2012 Expense Budget, as set forth in Chart 19; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 20; and be it further

**Resolved**, That the City Council approves the new description for the Description/Scope of Services for a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 21.

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. 545 printed in these Minutes).

Int. No. 623

By Council Members Gentile, Williams, Koo and Lancman.

**A Local Law to amend the administrative code of the city of New York, in relation to the curbs adjacent to a fire hydrant or bus stop.**

*Be it enacted by the Council as follows:*

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.4 as follows:

§ 19-175.4 *Curbs adjacent to fire hydrants and bus stops. a. Notwithstanding any other law, rule or regulation, any curb adjacent to a fire hydrant located on a public sidewalk or a bus stop shall be painted the color red. Such curb shall be painted the distance by which a motor vehicle is prohibited from stopping, standing or parking on either side of a fire hydrant or bus stop. For purposes of this section, the term "bus stop" shall mean a location designated by signage for vehicles under the jurisdiction of the metropolitan transit authority to pick up or discharge passengers.*

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

Referred to the Committee on Transportation.

Res. No. 546

**Resolution calling on the New York State Legislature to pass and Governor to sign legislation requiring New York State Homes and Community Renewal to collect succession rights data from property owners and release a summary of the statistics to the public.**

By Council Members Gibson, Chin, Mendez and Rosenthal.

**Whereas**, New York State Homes and Community Renewal (HCR) is the state agency responsible for administering rent regulation in New York City; and

**Whereas**, Rent regulation, which includes rent control and rent stabilization, protects tenants from steep rent increases, unwarranted evictions, and requires an owner to provide services and repairs; and

**Whereas**, According to the 2011 Housing Vacancy Survey, there are 1,293,000 rent regulated units in New York City; and

**Whereas**, Rent regulated units comprise most of the City's affordable housing; and

**Whereas**, According to the "Housing New York: A Five Borough, Ten-Year Plan," almost 55 percent of all rental households spend 30% of their income on rent; and

**Whereas**, In some cases, a family member can legally remain in a rent-regulated unit when the leaseholder permanently leaves; and

**Whereas**, Under New York State law, a family member can claim succession rights for a rent-regulated unit by residing in the same apartment for at least two consecutive years (or one year if the primary tenant is disabled or a senior) before the primary tenant permanently vacates or passes away; and

**Whereas**, State regulations defines a family member as a tenant's spouse, son, daughter, stepson, stepdaughter, father, mother, stepmother, brother, sister, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, or daughter-in-law; and

**Whereas**, A person who is residing with the tenant of record may qualify for succession rights as a non-traditional family member by demonstrating emotional, financial commitment and interdependence with the tenant of record, according to State regulations and

**Whereas**, Persons can claim succession rights by notifying the property owner, through a letter or an HCR form, that the tenant of record is no longer residing in the apartment; and

**Whereas**, Claimants may keep a copy of the succession rights notice, but the property owner can challenge statements made on the notification; and

**Whereas**, A successor tenant maintains the same housing rights and privileges as the previous tenant; and

**Whereas**, HCR does not publish data on succession rights or other rent regulation policies, making it difficult to determine if the process is meeting the policy's goals; and

**Whereas**, To determine the volume and efficacy of succession rights applications, HCR will need to collect data from property owners on the number of tenants that requested succession rights, the number of requests that were accepted and denied, and the reason for such denials; and

**Whereas**, With this data, HCR can evaluate the current process to identify areas for improvement, identify appropriate measures to assess the program, obtain a baseline of the current operations, and monitor the effects of any changes to the program; and

**Whereas**, Publishing a quarterly report on this data can serve the public good and improve the administration of tenants requesting succession rights and other affordable housing programs; and

**Whereas**, HCR should make this information available to the public through HCR's website; and

**Whereas**, If such information was made available, the public could assess the process and outcomes of the policy and could help HCR prioritize its resources, review whether the process is serving the policy's goals, and make recommendations for new policies or processes to help New Yorkers who need affordable housing; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon New York State Legislature to pass and Governor to sign legislation requiring New York State Homes and Community Renewal to collect succession rights data from property owners and release a summary of the statistics to the public.

Referred to the Committee on Housing and Buildings.

Int. No. 624

By Council Members Johnson, Kallos and Levine.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring owners of residential property with six to ten units to submit income and expense statements.**

*Be it enacted by the Council as follows:*

Section 1. Subparagraph ii of paragraph 5 of subdivision d of section 11-208.1 of the administrative code of the city of New York is amended to read as follows:

(ii) residential property containing [ten] *five* or fewer dwelling units;

§2. Subdivision e of section 11-208.1 of the administrative code of the city of New York is amended to read as follows:

e. As used in this section, the term "income-producing property" means property owned for the purpose of securing an income from the property itself, but shall not include property with an assessed value of forty thousand dollars or less, or

residential property containing [ten] *five* or fewer dwelling units or property classified in class one or two as defined in article eighteen of the real property tax law containing six or fewer dwelling units and one retail store.

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

Referred to the Committee on Finance.

Res. No. 547

**Resolution calling upon the New York City Rent Guidelines Board to discontinue consideration of the Price Index of Operating Costs in assessing the economic condition of the residential real estate industry to determine the annual rent adjustments for dwelling units subject to the Rent Stabilization Law.**

By Council Members Johnson, Chin, Gentile, Kallos, Levine, Mendez, Rose Rosenthal, Garodnick and Arroyo.

**Whereas**, The New York City Rent Guidelines Board (“RGB”) is mandated to establish rent adjustments for the approximately one million dwelling units subject to the Rent Stabilization Law in New York City; and

**Whereas**, According to the most recent Housing and Vacancy Survey conducted by the New York City Department of Housing Preservation and Development, rent-stabilized units make up approximately 46% of all rental units in the City; and

**Whereas**, According to the U.S. Department of Housing and Urban Development, households that spend more than 30% of their income for housing are considered to be cost-burdened and may have difficulty affording other necessities, such as food and medical care; and

**Whereas**, According to the most recent Housing and Vacancy Survey, rent-stabilized tenants have a median gross rent-to-income ratio of 34.9%, in other words, nearly 35% of tenants’ income is spent on rent, which means that the majority of rent-stabilized tenants cannot afford their rent; and

**Whereas**, It is crucial that the City protects these tenants and ensures that increases in their rents, if any, are based upon accurate data that does not overinflate the property owners’ true costs of operating and maintaining the units and considers the income received by property owners; and

**Whereas**, According to section 26-510(b) of the Administrative Code of the City of New York, in determining the appropriate rent adjustments the RGB is required to consider, among other factors, the economic condition of the residential real estate industry including, but not limited to, the prevailing and projected real estate taxes, sewer and water rates, and gross operating maintenance costs (including insurance rates, governmental fees, cost of fuel and labor costs); and

**Whereas**, It is not possible to assess the economic condition of the residential real estate industry as required by both the Administrative Code and Rent Stabilization Law without considering the income collected by landlords from rent-stabilized apartments; and

**Whereas**, One data point used by the RGB to measure the change in operating and maintenance expenses incurred by property owners’ of rent-stabilized units, as a marker to determine the economic condition of the residential real estate industry, is the Price Index of Operating Costs (“PIOC”), which it compiles annually; and

**Whereas**, The PIOC is a base-weighted index of the prices of nine cost components, including fuel oil, utilities, taxes, insurance, and labor costs as determined by an original expenditure survey conducted in 1970 by the federal Bureau of Labor Statistics; and

**Whereas**, The PIOC measures the price change over time in this nine-component “basket of goods and services” used in the maintenance and operation of rent-stabilized apartments in New York City; and

**Whereas**, The Bureau of Labor Statistics noted in its first PIOC report, “The index is a price index and not a cost index. To the degree that the base-period market basket becomes unrepresentative because landlords choose to purchase more or fewer units of the same item, the index would to some extent lose its appropriateness as a measure of changing cost;” and

**Whereas**, For example, if the price of fuel increases over time then the PIOC would rise, but owners could have actually experienced fuel savings over that same period if they reacted to the increase in fuel costs by employing energy conservation methods or fuel efficient machinery that would require the purchase and use of less fuel; and

**Whereas**, The PIOC price changes may also not be representative of actual expenses over time if the items in the “basket of goods and services” as determined in 1970 that serve as the basis for the PIOC are no longer representative of what owners actually buy; and

**Whereas**, In “An Introduction to the NYC Rent Guidelines Board and the Rent Stabilization System,” a document prepared by the staff of the RGB, the RGB has recognized that both owners and tenants find fault with the PIOC with owners claiming that it fails to reflect true operating costs and tenants claiming that it does not provide data on actual expenditures and profits; and

**Whereas**, Despite the potential unreliability of the PIOC data and its critique by both owners and tenants, in that same document the RGB states that “the PIOC is perhaps the most influential figure affecting the final [rent adjustment] guidelines;” and

**Whereas**, The RGB also produces an annual Income and Expense Study (“I&E”) as a second method for measuring the change in operating and maintenance expenses incurred by property owners’ of rent-stabilized units; and

**Whereas**, By requiring property owners to file income data as well as expense data, the I&E has the additional benefit of providing a more complete picture of the economic health of the rent-stabilized housing stock; and

**Whereas**, The I&E analyzes owners’ actual expenses as reported by the owners in the Real Property Income and Expense (“RPIE”) statements submitted annually to the New York City Department of Finance pursuant to Local Law 63 of 1986; and

**Whereas**, Pursuant to section 11-208.1 of the Administrative Code of the City of New York, RPIE’s must include all expenses attributable to the operation of the property and a declaration by the preparer that all the information in the RPIE is accurate to the best of his or her knowledge; and

**Whereas**, In 2000, in recognition of the PIOC’s limitations and potential inaccuracy, the RGB commissioned a review of the use of the PIOC; and

**Whereas**, The review concluded that “[f]or the purpose of regulating rents, an index that directly measures costs is clearly preferable to a price index, other things being equal;” and

**Whereas**, The review also concluded that “there is now a potential for the PIOC to misestimate future changes in operating costs” and recommended various adjustments utilizing alternative income and expense data; and

**Whereas**, In 2014, the RGB commissioned another study comparing the PIOC and the I&E data; and

**Whereas**, The comparison demonstrated that in recent years the increase in overall operating costs from the I&E have been smaller than those shown by the PIOC, specifically that according to the PIOC owners’ operating costs grew about 5.2% per year while according to the I&E owner’s operating costs grew only 4.3% per year; and

**Whereas**, RGB’s 2014 I&E report stated that from 1990 to 2012, the owner’s costs as measured by the PIOC rose by 165.6% as compared to the costs measured by the I&E which rose by only 138.7% over the same period; and

**Whereas**, The disparity between projected and actual expenses is significant as it leads to an increase in net operating income for property owners; and

**Whereas**, The 2014 comparison study also demonstrated that the divergence between the two methods of measuring costs is accelerating and will only grow greater over time; and

**Whereas**, Because the PIOC has been found to be unreliable and less preferable to a cost index method that considers both income and expenditures, because it has been shown to overinflate the cost of operating and maintaining rent-stabilized units, and because it is based on this flawed data that the RGB makes rent increase determinations for hundreds of thousands of families struggling to pay their rents; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York City Rent Guidelines Board to discontinue consideration of the Price Index of Operating Costs in assessing the economic condition of the residential real estate industry to determine the annual rent adjustments for dwelling units subject to the Rent Stabilization Law.

Referred to the Committee on Housing and Buildings.

Int. No. 625

By Council Members Kallos, Levine, Lancman, Maisel, Chin, Rosenthal and Lander.

**A Local Law to amend the administrative code of the city of New York, in relation to housing accommodations and tenant black lists.**

*Be it enacted by the Council as follows:*

Section 1. Subparagraphs 1, 2 and 3 of paragraph a of subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York are amended to read as follows:

(1) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any person or group of persons such a housing accommodation or an interest therein because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons[.], *or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding.*

(2) To discriminate against any person because of such person’s actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or because of any lawful source of income of such person, [or] because children are, may be or would be residing with such person, *or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding,* in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith.

(3) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses,

directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or any lawful source income, [or] whether children are, may be, or would be residing with a person, *or whether such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding*, or any intent to make such limitation, specification or discrimination.

§ 2. Paragraph c of subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York is amended to read as follows:

(1) To refuse to sell, rent or lease any housing accommodation, land or commercial space or an interest therein to any person or group of persons or to refuse to negotiate for the sale, rental or lease, of any housing accommodation, land or commercial space or an interest therein to any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons, *or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding*, or to represent that any housing accommodation, land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is so available, or otherwise to deny or withhold any housing accommodation, land or commercial space or an interest therein or any facilities of any housing accommodation, land or commercial space or an interest therein from any person or group of persons because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, [or] because children are, may be or would be residing with such person or persons[.]*or because such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding*.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of any housing accommodation, land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or to any lawful source of income, [or to] whether children are, may be or would be residing with a person, *or to whether such person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding*, or any intent to make such limitation, specification or discrimination.

(3) To induce or attempt to induce any person to sell or rent any housing accommodation, land or commercial space or an interest therein by representations, explicit or implicit, regarding the entry or prospective entry into the neighborhood or area of a person or persons of any race, creed, color, gender, age, disability, sexual orientation, marital status, partnership status, national origin, alienage or citizenship status, or a person or persons with any lawful source of income, [or] a person or persons with whom children are, may be or would be residing[.]*or a person or persons were a party in a past or current landlord-tenant action or housing court proceeding, except where the tenant or tenants have not satisfied the terms of an order issued in such action or proceeding*.

§ 3. Subdivision 5 of section 8-107 of chapter one of title eight of the administrative code of the city of New York is amended by adding a new paragraph p to read as follows:

(p) *Applicability; Landlord-tenant actions or housing court proceedings. Where the commission finds that a person has engaged in an unlawful discriminatory practice relating to a past or current landlord-tenant action or housing court proceeding, the commission may impose a civil penalty according to the following structure: (i) \$100 per unit per month for the first five instances; (ii) \$250 per unit per month for instances five through 10; (iii) \$500 per unit per month for instances 10 through 15; (iv) \$1,000 per unit per month for instances 15 through 20; (v) \$2,000 per unit per month for instances 21 and beyond. Owners may voluntarily report violations for a reduction of 50 percent of overall fines, which may be waived at the commission's discretion.*

§ 4. Subdivision a of section 8-126 of chapter one of title eight of the administrative code of the city of New York is amended to read as follows:

a. Except as otherwise provided in subdivisions five and thirteen of section 8-107 of this chapter, in addition to any of the remedies and penalties set forth in subdivision a of section 8-120 of this chapter, where the commission finds that a person has engaged in unlawful discriminatory practice, the commission may, to vindicate the public interest, impose a civil penalty of not more than one hundred and twenty-five thousand dollars. Where the commission finds that an unlawful discriminatory practice was the result of the respondent's willful, wanton or malicious act or where the commission finds that an act of discriminatory harassment or violence as set forth in chapter six of this title has occurred, the commission may, to vindicate the public interest, impose a civil penalty of not more than two hundred and fifty thousand dollars.

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

Referred to the Committee on Civil Rights.

Int. No. 626

By Council Members Kallos and Mendez (by request of the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to personal information security.**

*Be it enacted by the Council as follows:*

Section 1. Title 10 of the administrative code of the city of New York is amended by adding a new chapter 9 to read as follows:

**CHAPTER 9 - PERSONAL INFORMATION SECURITY**

§10-901 *Personal information security. a. As used in this chapter, "personal information" shall mean any information concerning an individual which, because of a name, number, symbol, mark or other identifier, can be used to identify that individual.*

*b. Each agency that maintains a system of records containing personal information shall develop, implement and maintain a comprehensive security program that contains administrative, technical and physical safeguards for the protection of such personal information. Such comprehensive security program shall be consistent with this chapter and with applicable federal and state laws and regulations.*

*c. Where not inconsistent with applicable federal and state laws and regulations, a comprehensive security program shall include:*

*1. designating one or more employees to maintain the comprehensive information security program;*

*2. identifying and assessing foreseeable internal and external risks to the security, confidentiality or integrity of electronic, paper or other records containing personal information;*

*3. developing and implementing safeguards for limiting such risks, including conducting ongoing employee training, requiring employee compliance with policies and procedures, and creating a means for detecting and preventing security system failures;*

*4. developing and implementing written security policies for employees and other relevant persons relating to the storage, access and transportation of records containing personal information outside of agency premises, and conducting periodic trainings for such persons with respect to such policies;*

*5. imposing disciplinary measures for violations of the comprehensive information security program rules;*

*6. preventing persons whose employment with the agency has been terminated from the agency from accessing records containing personal information;*

*7. restrictions on physical access to records containing personal information, including the storage of such records and data in locked facilities, storage areas or containers;*

*8. regular monitoring to ensure that the comprehensive information security program is operating in a manner calculated to prevent unauthorized access to and unauthorized use of personal information;*

*9. periodic review of the comprehensive security program at least annually and whenever there is a material change in business practices that may implicate the security or integrity of records containing personal information in order to improve the effectiveness of such security program; and*

*10. post-incident review following each incident involving a breach of security, and documenting such incident and the responsive actions taken in connection with such incident, including changes made, if any, to business practices relating to protection of personal information.*

*d. Where not inconsistent with applicable federal and state laws and regulations, if an agency electronically stores or transmits records containing personal information, the comprehensive information security program of such agency shall include:*

*1. secure user authentication protocols including control of user identification cards and other record access identifiers; a secure method of assigning and selecting passwords, or use of unique identifier technologies, such as biometrics or token devices; control of data security passwords to ensure that such passwords are kept in a location or format that does not compromise the security of the data they protect; restricting access to active users and active user accounts only; and blocking access for a user identification after multiple unsuccessful attempts to gain access using that user identification;*

*2. secure access control measures that restrict access to records and files containing personal information to those who need such information to perform their job duties and to assign unique identifications and passwords, which are not vendor supplied default passwords, to each person with computer access, that are designed to maintain the integrity of the security of the access controls;*

*3. encryption of all transmitted records and files containing personal information that will travel across public networks, and encryption of all data containing personal information to be transmitted wirelessly.*

*4. encryption of all personal information stored on laptops or other portable devices;*

*5. encryption of all personal information stored on removable media that is transported or stored by third-party service providers;*



6. monitoring of systems for unauthorized use of or access to personal information;

7. for files containing personal information on a system that is connected to the Internet, there must be up-to-date firewall protection and operating system security patches, designed to maintain the integrity of personal information;

8. up-to-date versions of system security agent software which must include malware protection and up-to-date patches and virus definitions, or a version of such software that can still be supported with up-to-date patches and virus definitions, and such software must be set to receive the most current security updates on a regular basis; and

9. education and training of employees on the proper use of the applicable computer security system and the importance of personal information security.

§2. This local law shall take effect one year after its enactment, except that the commissioner or director of each agency shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Technology.

Int. No. 627

By Council Members Kallos and Mendez (by request of the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to securing personal information privacy.**

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

**CHAPTER 12**

**PERSONAL INFORMATION PRIVACY**

**§8-1201 Definitions**

**§8-1202 Collection of information**

**§8-1203 Use of information**

**§8-1204 Access to information**

**§8-1205 Information security**

**§8-1201 Definitions.** As used in this chapter: a. "agency" means an office, administration, department, division, bureau, board, commission, authority, corporation, advisory committee or other governmental entity performing a governmental function of the city of New York;

b. "determination" means a decision made by an agency with respect to an individual, including, but not limited to:

- (1) eligibility for services or benefits;
- (2) issuing a permit;
- (3) registration, certification and licensing; or
- (4) liability for civil and criminal penalties.

c. "personal information" means any information concerning an individual which, because of name, number, symbol, mark or other identifier, can be used to identify that individual;

d. "record" means any item, collection or grouping of personal information about a subject individual that is retrievable by name or other identifier of the subject individual that is maintained by an agency for the purposes of making a determination about the subject individual, but shall not include an agency's employment records, business records, telephone or email directories and contact lists.

e. "routine use" means any use of such record or personal information that is compatible with the purpose for which it was collected; and

f. "subject individual" means any natural person about whom personal information has been collected.

**§8-1202 Collection of information.** Each agency that maintains a system of records pertaining to individuals shall: a. collect information to the greatest extent practicable directly from the subject individual;

b. collect and maintain only such information about a subject individual as is relevant and necessary to accomplish a purpose of the agency that is required or authorized by law; and

c. except with respect to information gathered as part of an ongoing criminal investigation, inform each individual from whom it collects information on a form that can be retained by the individual of: (1) the law that authorizes the solicitation of the information and whether the disclosure of such information is mandatory or voluntary;

(2) the principle purpose or purposes for which the information is intended to be used;

(3) the agency or agencies that will have access to the information in order to accomplish the purpose or purposes for which the information is intended to be used;

(4) the routine uses which may be made of the information;

(5) the consequences to the subject individual, if any, of failing to provide all or part of the requested information; and

(6) the direct telephone number, address and electronic address of the office or officer responsible for maintaining the system of records.

**§8-1203 Use of information.** a. An agency shall use personal information obtained from an individual only for the purpose or purposes for which it was collected.

b. A subject individual may consent to uses of personal information other than the uses authorized in subdivision a. of this section provided that such consent is informed, voluntary, in writing that describes the other uses to which the information may be put, and is signed by the subject individual.

c. Consent provided under subdivision b. of this section shall be for a period no greater than four years and may be withdrawn by a subject individual in writing at any time to the office or officer responsible for maintaining the system of records.

d. For the purposes of this section, the parent, or the legal guardian of a minor or any subject individual who has been declared to be incompetent by a court of competent jurisdiction, may act on behalf of such minor or subject individual.

**§8-1204 Access to information.** a. Officers and employees of an agency shall only have such access to personal information as is necessary to perform their duties.

b. No agency shall disclose any record pertaining to an individual by any means of communication to any person or agency except pursuant to a written request by, or with the prior written consent of, the subject individual unless disclosure of the record is: (1) to those officers and employees of the agency that maintains the record for a routine use;

(2) specifically authorized by New York state or federal statute, law, rule or regulation;

(3) to another agency, or to a New York state or federal governmental entity, for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency has made a written request to the agency that maintains the records specifying the particular portion desired and the law enforcement activity for which the record is sought; or

(4) pursuant to the order of a court of competent jurisdiction.

c. Upon written request by an individual, an agency shall provide copies of all the records maintained by an agency that pertain to that individual within fourteen days, excluding any such records that are kept and maintained as part of an ongoing criminal investigation that is authorized by law. For the purposes of this subdivision, accountings created under subdivision c. of section 8-1205 of this chapter shall be considered a record pertaining to the subject individual of the record for which such accounting was created. Agencies may charge the individual a maximum of twenty-five cents for each page copied.

d. Records pertaining to an individual or individuals, excluding any such records that are kept and maintained as part of an ongoing criminal investigation that is authorized by law, shall be made available to a recipient with advance written assurance that the record will be used solely for a statistical research and reporting provided that the records are transferred in a form that contains no information which identifies the subject individual or individuals.

**§8-1205 Information security.** Each agency that maintains a system of records pertaining to individuals shall: a. establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, inconvenience, or unfairness to any individual on whom information is maintained;

b. destroy by making unreadable by any means such information that is no longer required for the purpose or purposes for which it was collected, or for purposes of audit or litigation, or to which the subject individual has consented, provided such destruction is in accordance with the rules promulgated by the department of records and information services regarding the disposal of records by city agencies;

c. create and maintain for not less than five years or for the life of the record, whichever is longer, an accurate accounting of the date, nature, and purpose of each disclosure of a record to any person or to another agency and the name and address of the person or agency to whom the disclosure is made; and

d. notify the subject individual within twenty-four hours from the discovery of unauthorized access to or disclosure of the personal information of such individual.

§2. This local law shall take effect one hundred eighty days after its enactment into law.

Referred to the Committee on Technology.

Int. No. 628

By Council Members Kallos, Cabrera, Rosenthal, Eugene, Gentile, Levine, Richards and Rose.

**A Local Law to amend the administrative code of the city of New York in relation to improving young adults' access to voter registration materials by requiring the department of education of the city of New York and the board of elections of the city of New York to provide students with registration materials in appropriate languages and to track and report on the efficacy of distributing registration materials to students.**

Be it enacted by the Council as follows:

Section 1. Section 3-209 of the administrative code of the city of New York is amended to read as follows:

§ 3-209 Young Adult Voter Registration.



a. Short title. This section shall be known and may be cited as the “Young Adult Voter Registration Act.”

b. *Coded voter registration forms.* The board of elections of the city of New York shall assign a code to each geographic school district and create voter registration materials that include these codes. Upon request by the department of education of the city of New York, the city board of elections shall provide voter registration forms, either in printed form or in a format suitable for printing, to each public or private high school within the city that are coded for the geographic school district in which that high school is physically located.

c. *Provision of voter registration materials to students and graduates.* [Registration of voters.]

1. Each public or private high school within the city shall *distribute* [make available] during the school year to seniors such materials as may be published by the board of elections relating to voter registration and, where appropriate, shall provide [applications for registration and enrollment, ] *students with voter registration forms that contain the appropriate code assigned by the city board of elections*, and may assist in the execution of such applications.

[c.]2. [Registration of graduating seniors.] The department of education of the city of New York shall provide a postage paid [board of elections of the city of New York] voter registration form *containing the appropriate code assigned by the city board of elections* to each graduating student who receives a high school diploma, including but not limited to a Regents, local, general equivalency or Individualized Education Program diploma. The department shall deliver such voter registration form to each graduating student at the same time and in the same manner as it delivers diplomas to each such student.

[d.]3. [Forms to be available at school.] The city department of education [of the city of New York] shall ensure that postage paid [board of elections] voter registration forms *containing the appropriate code assigned by the city board of elections* are available in the main or central office of each high school under the jurisdiction of the department for students who wish to obtain one. The department shall also ensure that each such high school provides adequate notice to its students of the availability of such forms in its main or central office.

[e.]4. [Sufficient quantity of forms.] The city department of education shall request from the city board of elections *or otherwise obtain* [of the city of New York] a sufficient quantity of voter registration forms to meet the requirements of this subdivision, *including forms in any language authorized by the state or city board of elections that the city department of education deems appropriate for the students at each school.*

d. *Annual Reporting.*

1. *The city department of education shall report on what steps it has taken to comply with this section and to promote student voter registration as part of its annual report to the New York city council pursuant to subsection (b) of section 522 of the New York city charter. That report shall include, by borough and school, the number of students who were seventeen or eighteen years old during the relevant school year and the manner in which registration materials were distributed or made available to students.*

2. *Consistent with subsection four of section 3-212 of the New York state election law, which requires the city board of elections to include in its annual report to the local legislature a detailed description of existing programs to enhance voter registration, the city board of elections shall specify, by geographic school district: (a) in what form the registration forms were distributed, (b) in which language(s) they were distributed, and (c) how many forms were completed and returned to the board.*

§ 2. This local law shall take effect 120 days following enactment.

Referred to the Committee on Governmental Operations.

Int. No. 629

By Council Members Levine, Cabrera, Richards, Rose, Rodriguez and the Public Advocate (Ms. James).

**A Local Law to amend the administrative code of the city of New York, in relation to the length of the season for city beaches and pools.**

*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 new section 18-142 to read as follows:

§18-142 *Bathing season for beaches.* a. *Notwithstanding the provisions of any other law or rule to the contrary, the commissioner shall ensure that each bathing beach and swimming pool under the jurisdiction of the department remains open each day no less than the hours from 10:00AM to 6:00PM during the bathing season, except that after the first day of the school year for schools under the jurisdiction of the department of education such beaches and pools need only remain open on each weekend until the end of the bathing season. In each year, the beginning and end date of the bathing season shall be determined by the commissioner, except that such season shall end no earlier than September 30.*

b. *Notwithstanding subdivision a of this section, the commissioner may limit or extend the bathing season with due regard for weather conditions and the safety of the public.*

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

Referred to the Committee on Parks and Recreation.

Int. No. 630

By Council Members Levine, Mendez, Rose and Rodriguez.

**A Local Law to amend the New York city charter, in relation to improving security in schools on election days.**

*Be it enacted by the Council as follows:*

Section 1. Section 528 of the charter of the city of New York is hereby amended to read as follows:

§ 528 *Increasing security measures* [The installation and operation of security cameras and other security measures] in New York city public schools.

a. Installation of security cameras and door alarms. The department of education, in consultation with the police department, shall install security cameras and door alarms at schools and consolidated school locations operated by the department of education where the chancellor, in consultation with the police department, deems such cameras and door alarms appropriate for safety purposes. Such cameras may be placed at the entrance and exit doors of each school and may be placed in any area of the school where individuals do not have a reasonable expectation of privacy. The number, type, placement, and location of such cameras within each school shall be at the discretion of the department of education, in consultation with the principal of each school and the police department. Door alarms may be placed at the discretion of the department of education, in consultation with the police department, at the exterior doors of school buildings under the jurisdiction of the department of education, including buildings serving grades pre-kindergarten through five or a district 75 program. Such alarms should provide an audible alert indicating an unauthorized departure from the school building. For the purposes of this section, “district 75 program” shall mean a department of education program that provides educational, vocational, and behavioral support programs for students with severe disabilities from pre-kindergarten through age twenty-one.

b. Schedule of installation for cameras. The department of education, in consultation with the police department, shall set the priorities for installation of cameras as set forth in subdivision a to include among other appropriate factors consideration of the level of violence in schools, as determined by the police department and the department of education. By the end of two thousand six, the potential installation of cameras shall have been reviewed for all schools under the jurisdiction of the department of education, including elementary schools. At the end of two thousand six, the department of education shall submit a report to the city council indicating, for each school under its jurisdiction, the findings of the review and the reasons for the findings contained therein.

c. Schedule of installation for door alarms. The department of education, in consultation with the police department, shall evaluate and set priorities for the installation of door alarms, as set forth in subdivision a. By May thirtieth, two thousand fifteen, the department of education shall complete such evaluation for all schools under its jurisdiction, including buildings serving grades pre-kindergarten through five or a district 75 program. By such date, the department of education shall submit a report to the speaker of the council that describes the results of the evaluation conducted pursuant to this subdivision, including, but not limited to, a list of the school buildings where the installation of door alarms has been deemed to be an appropriate safety measure and a timeline for such installation.

d. Training. Not later than May thirtieth, two thousand fifteen, and annually thereafter, the department of education shall submit to the speaker of the council a report regarding training on student safety protocols for department of education personnel. Such report shall include, but need not be limited to: (1) general details on the type and scope of the training administered, (2) the intended audience for each training, and (3) whether such training was mandatory for certain personnel.

e. *Enhanced security on election days.*

1. *For any school or consolidated school location operated by the department of education that has been designated as a polling place pursuant to section 4-104 of the New York state election law and that will be used as a polling place for any general, special or primary election, the department of education shall adopt any enhanced election day security procedures that the chancellor, in consultation with the police department and the principal(s) of the relevant school(s), deems appropriate for the protection of the students and faculty. Where consistent with applicable fire, safety and accessibility regulations and any other applicable law, such security measures may include locking internal doors and relocating or rescheduling student classes or lunch periods to minimize contact between the voting public and school staff or students. Such security measures shall not interfere with student attendance at polling locations pursuant to section 8-106 of the New York state election law.*

2. *This section does not affect the discretion of the commissioner of the police department pursuant to subsection six of section 8-104 of the New York state election law.*

§ 2. This local law shall take effect 60 days after it shall have become a law.

Referred to the Committee on Education.

Preconsidered Res. No. 548

**Resolution commemorating the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27th, 2015.**

By Council Members Levine, the Speaker (Council Member Mark-Viverito), Cohen, Deutsch, Garodnick, Greenfield, Kallos, Koslowitz, Lander, Lancman, Levin, Maisel, Rosenthal, Treyger, Weprin, Van Bramer, Crowley, Koo, Williams, Cornegy, Miller, Chin, Constantinides, Eugene, Gentile, Mendez, Richards, Rose and Vallone.

**Whereas**, According to the Simon Wiesenthal Center, early in 1942, the Nazi hierarchy formally decided on the "Final Solution" to the "Jewish problem" – annihilation; and

**Whereas**, Throughout occupied Europe, genocide was begun, and by 1945, at the end of World War II, six million Jews and millions of others had been killed; and

**Whereas**, Auschwitz-Birkenau was a huge complex of camps including Auschwitz and Auschwitz II-Birkenau, Auschwitz III-Monowitz and 45 satellite camps, each dedicated variously to killing centers, concentration, and forced-labor camps; and

**Whereas**, It has been estimated that a minimum of 1.3 million people were sent to Auschwitz between 1940 and 1945 and that of these, at least 1.1 million were murdered; and

**Whereas**, January 2015 marks seventy years since the liberation of Auschwitz by Allied forces; and

**Whereas**, The United Nations' Resolution in 2005 establishing January 27th as Holocaust Remembrance Day, on the anniversary of the liberation of Auschwitz-Birkenau, said in part:

"Reaffirming that the Holocaust, which resulted in the murder of one third of the Jewish people along with countless members of other minorities, will forever be a warning to all people of the dangers of hatred, bigotry, racism and prejudice"; and

**Whereas**, In response to the destruction and depravity of the Nazi regime, institutions such as the Simon Wiesenthal Museum of Tolerance New York, and elsewhere throughout the world, have been established, to honor the memory of the victims and through education help give meaning to the expression "Never Again"; and

**Whereas**, According to Selfhelp Community Services, Inc., in 2011 there were approximately 73,000 Holocaust survivors living in and around New York City, many of whom were liberated from Auschwitz-Birkenau; and

**Whereas**, Particularly in light of recent events in Paris, France, the words of Holocaust survivor Elie Wiesel, who was barely alive in Auschwitz as the camp was liberated by Allied forces, resound louder than ever:

We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men and women are persecuted because of their race, religion, or political views, that place must - at that moment - become the center of the universe; now, therefore, be it

**Resolved**, That the Council of the City of New York commemorates the 70<sup>th</sup> anniversary of the liberation of the Auschwitz-Birkenau concentration camps on January 27th, 2015.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Cultural Affairs, Libraries and International Intergroup Relations).

Int. No. 631

By Council Members Maisel, Espinal, Gentile and Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the issuance of multiple bus lane violation tickets for the same infraction within a one hour period.**

*Be it enacted by the Council as follows:*

Section 1. Title nineteen of the administrative code of the city of New York is amended by adding new section 17-175.5 to read as follows:

§ 17-175.5 *Bus lanes violations.* a. For the purposes of this section, the following terms shall have the following meanings:

1. "Bus lane restrictions" means restrictions on the use of designated traffic lanes by vehicles other than buses imposed on routes within a bus rapid transit demonstration program by local law and signs erected by the department of transportation of a city that establishes such a demonstration program pursuant to section 1111-c of the vehicle and traffic law.

2. "Designated bus lane" means a lane dedicated for the exclusive use of buses with the exceptions allowed under 4-08(a)(3) and 4-12(m) of title 34 of the rules of the city of New York.

b. Notwithstanding any other law, rule or regulation, when bus lane restrictions are in effect on a street, a vehicle in a designated bus lane shall be issued no more than one summons or notice of violation within a one hour period.

§ 2. This local law shall take effect 120 days after its enactment.

Referred to the Committee on Transportation.

Int. No. 632

By Council Members Miller, Johnson, Kallos, Lander, Chin, Rosenthal, Levine, Constantinides and Dromm.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring successor employers in the grocery industry to retain eligible employees for a transition employment period.**

*Be it enacted by the Council as follows:*

Section 1. Legislative intent. The Council finds that it is in the best interest of the health and wellbeing of the City to require a transition period when grocery stores are sold, wherein employees are retained and given the opportunity to demonstrate their value as employees, and to require new owners to consider keeping these workers as employees. New York City's grocery stores employ over 50,000 workers. Because supermarkets and grocery retailers are the primary means by which most New Yorkers meet their daily dietary needs, it is evident that this industry is essential to the health of the City's population. Therefore, the City has a direct interest in making sure that it provides for the welfare of its residents by maintaining health and safety standards at these establishments. To that end, it is important that these establishments are staffed by experienced grocery workers who have knowledge of proper sanitation procedures, health regulations and who are familiar with the residents of the communities they serve. A transitional period during a change in ownership, control or operation of a store that provides for the consideration of hiring incumbent workers will further the City's interest in ensuring the stabilization of this vital workforce. Through this Local Law, the City can make sure the health and safety of its residents will be secured through the maintenance of a steady and dependable workforce.

§ 2. Chapter 5 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-507 to read as follows:

§22-507 a. *Short title.* This section shall be known and may be cited as the "Grocery Worker Retention Act."

b. *Definitions.* For purposes of this section, the following terms shall have the following meanings:

(1) "Change in control" means any sale, assignment, transfer, contribution or other disposition of all or substantially all of the assets or a controlling interest, including by consolidation, merger or reorganization, of any grocery establishment.

(2) "City" means the city of New York.

(3) "Eligible grocery employee" means any individual whose primary place of employment is at a grocery establishment subject to a change in control, and who has worked for the incumbent grocery employer of such establishment for at least six months prior to the execution of the transfer document on a full-time or part-time basis; provided that such term shall not include persons who are managerial, supervisory or confidential employees or persons who on average regularly worked fewer than eight hours per week during such period. (4) "Entity" or "person" means any individual, corporation, sole proprietorship, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality or any other legal or commercial entity, whether domestic or foreign.

(5) "Grocery establishment" means any retail store in the city that is over 10,000 square feet in size, exclusive of any storage space, loading dock, food preparation space or eating area designated for the consumption of prepared food, and sells food primarily for off-site consumption, including but not limited to large retail establishments with grocery departments, but shall not include any retail store for which pharmacy sales comprise fifty percent or more of store sales.

(6) "Incumbent grocery employer" means any person that owns, controls and/or operates a grocery establishment prior to any change in control.

(7) "Successor grocery employer" means any person that owns, controls and/or operates a grocery establishment after any change in control.

(8) "Transfer document" means any purchase agreement or other documents effecting a change in control.

c. *Worker retention; transition period.* (1) No less than fifteen calendar days before the execution of any transfer document, an incumbent grocery employer shall:

(i) provide to the successor grocery employer a full and accurate list containing the name, address, date of hire and employment occupation classification of each eligible grocery employee;

(ii) post a notice of the change in control, the effective date of such change in control and the name and contact information for the successor grocery employer;

(iii) post a notice setting forth the rights provided pursuant to this section and a copy of the list provided pursuant to this subdivision in the same location and manner that other statutorily required notices to employees are posted at the affected grocery establishment; and

(iv) provide such notice and list to the eligible grocery employees' collective bargaining representatives, if any.

(2) A successor grocery employer shall retain each eligible grocery employee for a transition employment period beginning upon execution of the transfer document and continuing for ninety days after such successor grocery employer's grocery establishment is fully operational and open to the public. During such period, eligible grocery employees shall be employed under the terms and conditions established by such successor grocery employer, as required by law and pursuant to

the terms of any relevant collective bargaining agreement.

(3) If at any time during the transition employment period a successor grocery employer determines that it requires fewer eligible grocery employees than were required by the incumbent grocery employer, such successor grocery employer shall retain such eligible grocery employees by seniority within each job classification to the extent that comparable job classifications exist. Non-classified eligible grocery employees shall be retained by seniority and according to experience. During the transition employment period established pursuant to this subdivision, the successor grocery employer shall maintain a preferential hiring list of any eligible grocery employees not retained by such successor grocery employer who shall be given a right of first refusal to any jobs within their classifications that become available during such period.

(4) A successor grocery employer shall retain written verification of any offer of employment made by such successor grocery employer to any eligible grocery employee for a period of no fewer than three years from the date such offer was made. Such verification shall include the name, address, date of hire and employment occupation classification of each eligible grocery employee.

(5) Except as provided in paragraph (3) of this subdivision, a successor grocery employer shall not discharge an eligible grocery employee retained pursuant to this section during the transition employment period without cause.

(6) At the end of the transition employment period, a successor grocery employer shall complete a written performance evaluation for each eligible grocery employee retained pursuant to this section. If the eligible grocery employee's performance during such transition employment period is satisfactory, the successor grocery employer shall consider offering such eligible grocery employee continued employment under the terms and conditions established by the successor grocery employer, as required by law and pursuant to the terms of any relevant collective bargaining agreement. A successor grocery employer shall retain a record of the written performance evaluation for a period of no fewer than three years.

d. Penalty. An eligible grocery employee who has been discharged or not retained in violation of this section may bring an action in any court of competent jurisdiction against a successor grocery employer or incumbent grocery employer for violation of any obligation imposed pursuant to this section and may be awarded:

(i) front pay or back pay for each day during which any such violation continues, which shall be calculated at a rate of compensation not less than the higher of:

(A) the average regular rate of pay received by the eligible grocery employee during the last three years of such eligible grocery employee's employment in the same occupation classification; or

(B) the most recent regular rate received by the eligible grocery employee while employed by either the incumbent grocery employer or the successor grocery employer; and

(ii) value of the benefits the eligible grocery employee would have received under the successor grocery employer's benefit plan. If the eligible grocery employee is the prevailing party in any legal action taken pursuant to this section, the court shall award reasonable attorney's fees and costs incurred in maintaining such action. The court shall also have authority to order injunctive relief to prevent or remedy a violation of any obligation imposed pursuant to this section.

e. No limitation of rights. Nothing in this section shall be construed as to limit any eligible grocery employee's right to bring legal action for wrongful termination.

§ 3. If any subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of the local law that added this section, which remaining portions shall remain in full force and effect.

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

Referred to the Committee on Civil Service and Labor.

Int. No. 633

By Council Members Richards, Chin, Mendez, Rosenthal and Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring energy efficiency reports to be filed every five years.**

Be it enacted by the Council as follows:

Section 1. Section 28-308.4 of the administrative code of the city of New York, as added by Local Law 87 of 2009, is amended to read as follows:

§ 28-308.4 Energy efficiency report required. Except as otherwise provided in section 28-308.7, the owner of a covered building shall file an energy efficiency report for such building between January first and December thirty-first of the calendar year in which such report is due pursuant to this section and between January first and December thirty-first of every [tenth] fifth calendar year thereafter.

Exceptions:

1. An owner may apply for an extension of time to file an energy efficiency report if despite such owner's good faith efforts, to be documented in such application, the owner is unable to complete the required energy audit and retro-commissioning prior to the scheduled due date for such report. The commissioner may grant no more than two such extensions of no more than one year each.

Extensions granted pursuant to this provision shall not extend the scheduled due dates for subsequent energy efficiency reports.

2. An owner may receive annual extensions of time to file an energy efficiency report based on financial hardship of the building.

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

Referred to the Committee on Housing and Buildings.

Res. No. 549

**Resolution calling on Governor Andrew Cuomo to veto the application by Liberty Natural Gas, LLC to construct the Port Ambrose liquefied natural gas terminal off the coast of New York.**

By Council Members Richards, Chin, Johnson, Mendez, Rosenthal and Ulrich.

**Whereas**, Liberty Natural Gas, LLC has proposed the construction of a deepwater port facility, called the Port Ambrose liquefied natural gas (LNG) terminal, which would be used to import liquefied natural gas; and

**Whereas**, The Port Ambrose LNG terminal would consist of a submerged buoy system located in federal waters, within the New York Bight, approximately 19 miles off the coast of New York City; and

**Whereas**, Liquefied natural gas would arrive at the Port Ambrose LNG terminal on vessels, which would connect to the submerged buoy system and transfer natural gas into a twenty-two mile long pipeline connecting to the existing Transco Lower New York Bay Lateral pipeline, serving New York City and Long Island; and

**Whereas**, The United States Maritime Administration is the lead regulatory agency determining whether to issue a Deepwater Port License to Liberty Natural Gas, LLC, which would permit construction of the Port Ambrose LNG terminal; and

**Whereas**, Governor Andrew Cuomo has the authority to veto the Port Ambrose LNG terminal proposal as governor of an "adjacent state," pursuant to the Deepwater Port Act of 1974; and

**Whereas**, Several New York State Assembly Members, State Senators, local residents, community groups and environmental advocacy organizations oppose the Port Ambrose LNG terminal proposal and have called on Governor Andrew Cuomo to veto it; and

**Whereas**, There is evidence that the environmental quality and ecological habitat of the New York Bight have improved over the last several years, including a decrease in the number of floatables, improvements in dissolved oxygen concentrations, and the return of wildlife such as the humpback whale; and

**Whereas**, The construction and operation of the Port Ambrose LNG terminal could threaten and have adverse impacts on the environmental quality and ecological habitat of the New York Bight by requiring the dredging of miles of sea floor and by discharging chemically treated seawater into surrounding waters; and

**Whereas**, The Port Ambrose LNG terminal could increase New York City's reliance on natural gas, which can emit methane when it is extracted, transported, stored and consumed; and

**Whereas**, According to the Intergovernmental Panel on Climate Change, over a twenty year timeframe, methane has a global warming potential that is as much as 86 times greater than that of carbon dioxide; and

**Whereas**, LNG is a highly flammable fossil fuel, and if an extreme event such as a hurricane or terrorist attack were to damage the Port Ambrose LNG terminal, potential contamination and fire could impact nearby shipping lanes and coastal communities; and

**Whereas**, The Port Ambrose LNG terminal could interfere with the development of a more environmentally beneficial wind farm, which has been proposed in the same area; and

**Whereas**, The Bureau of Ocean Energy Management, an agency of the United States Department of Interior, in its scoping comments on the Port Ambrose LNG terminal application, stated that it is concerned that the proposal to construct a LNG port in the same area proposed for a large wind facility could result in serious conflicts—or at the minimum, complicating factors—that may impact the overall viability of one or both projects; and

**Whereas**, According to the 2014 Draft New York State Energy Plan, domestic production of natural gas is at its highest level in four decades and the need for substantial increased volumes of imported LNG has diminished for the near term; and

**Whereas**, In 2011, New Jersey Governor Chris Christie vetoed an application by Liberty Natural Gas, LLC to construct a LNG deepwater port 16 miles off the coast

of New Jersey, stating that offshore LNG poses unacceptable risks to New Jersey's residents, natural resources, economy and security; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on Governor Andrew Cuomo to veto the application by Liberty Natural Gas, LLC to construct the Port Ambrose LNG terminal off the coast of New York.

Referred to the Committee on Environmental Protection.

Res. No. 550

**Resolution calling upon the New York Power Authority to permanently set a competitive electricity rate at the Brooklyn Cruise Terminal in order to facilitate the use of shore-based electrical power by cruise ships that wish to cease idling in the port and reduce their air pollutant emissions.**

By Council Members Rose, Gentile and Richards.

**Whereas**, Ships that dock at the Brooklyn Cruise Terminal are typically in port for up to 11 hours, during which time they load and unload passengers and supplies; and

**Whereas**, While these ships are in port, their engines burn bunker fuel in order to idle in place and keep their electrical systems operating; and

**Whereas**, Burning bunker fuel, which is a heavy petroleum product that is left over after the distillation process, emits particulate matter, sulfur dioxide, nitrogen oxide, carbon monoxide, carbon dioxide and hydrocarbons; and

**Whereas**, According to a study published in the journal of the American Chemical Society, such pollution from ships contributes to an estimated 60,000 deaths per year worldwide; and

**Whereas**, According to the Environmental Protection Agency, the particulate matter in fumes emitted by idling cruise ships can exacerbate asthma and other respiratory ailments, and can increase the risk of cancer; and

**Whereas**, Asthma is a significant problem in communities adjacent to the Brooklyn Cruise Terminal, including Red Hook, which is also adjacent to the Brooklyn-Queens Expressway and the high volume of traffic that it carries; and

**Whereas**, Shore power, also known as cold-ironing, is a process whereby shore-based electrical power is provided to a ship at berth through a large extension cable, enabling the ship to operate its electrical systems without burning dirty bunker fuel and idling in port; and

**Whereas**, Shore power is already in use at ports in San Francisco, Los Angeles, Long Beach, San Diego and elsewhere; and

**Whereas**, According to the Port Authority of New York and New Jersey, implementing shore power at the Brooklyn Cruise Terminal would reduce annual ship emissions in the port by 1,500 tons of carbon dioxide, 95 tons of nitrous oxide and 6.5 tons of particulate matter, resulting in \$9 million in health benefits per year; and

**Whereas**, The Port Authority of New York and New Jersey has committed \$12.1 million and the United States Environmental Protection Agency has committed \$2.9 million to fund the construction of a shore power facility at the Brooklyn Cruise Terminal; and

**Whereas**, The shore power facility that is under construction at the Brooklyn Cruise Terminal is scheduled to be completed in 2015; and

**Whereas**, An obstacle to implementing shore power at the Brooklyn Cruise Terminal is the price of shore-based electricity, which can cost ships significantly more than burning bunker fuel to idle in port; and

**Whereas**, The New York Power Authority agreed to supply electricity to cruise ships at the Brooklyn Cruise Terminal at a fixed and discounted rate for a period of years in order to facilitate the use of shore power; and

**Whereas**, Setting a long-term competitive electricity rate for the use of shore power at Brooklyn Cruise Terminal would discontinue the use of bunker fuel by idling ships, improve the air quality of surrounding neighborhoods and New York City in general, and provide a model of clean technology that may be utilized at ports throughout New York; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York Power Authority to permanently set a competitive electricity rate at the Brooklyn Cruise Terminal in order to facilitate the use of shore-based electrical power by cruise ships that wish to cease idling in the port and reduce their air pollutant emissions.

Referred to the Committee on Environmental Protection.

Res. No. 551

**Resolution to recognize "Meatless Monday" in New York City.**

By Council Members Rosenthal, Johnson, Espinal, Eugene, Vacca, Koo, Lander, Levin, Chin and Levine.

**Whereas**, Meatless Monday is a national and international campaign that encourages people to enjoy meat-free meals on Mondays to improve their personal and public health, animal welfare, wildlife protection, and environmental and agricultural sustainability; and

**Whereas**, The Meatless Monday campaign initially began as a nationwide war rationing effort in World Wars I and II and was revived as a health campaign in 2003

by The Monday Campaigns, and national nonprofit organization Compassion Over Killing has worked with elected representatives across the country to implement Meatless Monday proclamations and resolutions in several U.S. cities, including Los Angeles, South Miami, and Washington, D.C.; and

**Whereas**, Monday was chosen because several studies, including "What's the Healthiest Day? Circaseptan (Weekly) Rhythms in Healthy Considerations," *American Journal of Preventive Medicine* (2014), have demonstrated that people are more likely to try to quit smoking, begin a diet or exercise regimen, schedule a doctors' appointment, or adopt other health behaviors on Monday than any other day; and

**Whereas**, According to the Johns Hopkins' website, "In 2000, the Surgeon General released the Healthy People 2010 report outlining health objectives for the nation to serve as goals for the next decade. Healthy People 2010 specifically called for a 15% reduction in saturated fat in the American diet. Since saturated fat in the diet is almost exclusively of animal origin and one day of the week is just under 15% of the week, the campaign began by encouraging people to refrain from eating meat one day a week to help reach this goal"; and

**Whereas**, Proponents of Meatless Monday argue that going meatless one day a week can reduce the risk of chronic preventable conditions like cancer, cardiovascular disease, diabetes and obesity; and

**Whereas**, Proponents also argue that it can help limit one's carbon footprint and save precious resources like fresh water because the water usage for livestock is much greater than it is for vegetables and grains and according to the Intergovernmental Panel on Climate Change, livestock production accounts for 10-31% of global greenhouse gas emissions; and

**Whereas**, According to a 2012 FGI Research survey report, a nationwide online survey that tracks awareness and behavior related to the Meatless Monday campaign and that interviewed approximately 1,000 participants, awareness of Meatless Monday increased from 26% to 43% from November 2010 to July 2012, among adults living in the U.S., and 62% of respondents reported that health was the primary reason for cutting back or considering cutting back on meat; and

**Whereas**, This survey also found that of those influenced by Meatless Monday to cut back on meat, 62% said they tried to incorporate Meatless Monday in their weekly routine and 40% said it has led them to incorporate more meatless meals the rest of the week; and

**Whereas**, Approximately 40 schools in New York City have participated in Meatless Monday, including public, private and charter schools at all grade levels, and New York City colleges and universities have also participated in Meatless Monday, including Barnard College, Brooklyn Law School, Columbia University, Fordham University, LaGuardia Community College and Manhattan College and

**Whereas**, Reputable restaurant owners in New York City such as Bill Telepan, Mario Batali, John Fraser, and Marisa May among others, participate in Meatless Mondays by offering vegetarian options to their customers; and

**Whereas**, According to a 2013 article in *Nation's Restaurant News*, restaurateurs find that Meatless Mondays can be beneficial to business because Meatless Monday choices entice people to dine out on Monday, a day of the week that can be slow for business; and

**Whereas**, Given the health and environmental benefits from participating in Meatless Monday, it would be advantageous for more New Yorkers to participate in Meatless Monday through greater participation in Meatless Monday at New York City schools, at city cafeterias and dining services, at local restaurants, and by community organizations; now, therefore, be it

**Resolved**, That the Council of the City of New York recognizes "Meatless Monday" in New York City.

Referred to the Committee on Health.

Int. No. 634

By Council Members Treyger, Cabrera, Constantinides, Espinal, Gentile, Mendez and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to suspending alternate side parking regulations on primary election day.**

*Be it enacted by the Council as follows:*

Section 1. Section 19-163 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

*d. The department shall suspend all alternate side of the street parking rules on the day a primary election is held.*

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

Referred to the Committee on Transportation.

Res. No. 552

**Resolution calling on the Federal Emergency Management Agency to re-examine all National Flood Insurance Program insurance claim payouts related to Hurricane Sandy for possible underpayment, and to henceforth require insurance companies to make available to flood insurance claimants all drafts of engineering reports that are used in the assessment of damages.**



By Council Members Treyger, Chin, Gentile, Johnson, Mendez, Richards and Rose.

**Whereas**, The National Flood Insurance Program (NFIP) provides flood insurance to property owners seeking to protect themselves against financial losses due to flooding; and

**Whereas**, The NFIP is overseen by the Federal Emergency Management Agency (FEMA), but it is implemented by private insurance companies who work cooperatively with FEMA through a program called Write Your Own (WYO); and

**Whereas**, Through the WYO program, private insurance companies market, sell, administer and adjust NFIP insurance policies; and

**Whereas**, According to a report by the RAND Corporation, there were 25,916 NFIP insurance policies in place in New York City when Hurricane Sandy hit; and

**Whereas**, In New York City, 16,264 NFIP insurance claims were made for losses due to Hurricane Sandy; and

**Whereas**, According to FEMA, an estimated 400 insurance claims in New York have resulted in lawsuits; and

**Whereas**, In November 2014, in a lawsuit between a homeowner whose property was damaged by Hurricane Sandy and a private insurance company providing an NFIP insurance policy, a Judge in the Eastern District of New York issued a decision that revealed that the defendant insurance company unfairly and unjustly avoided making an insurance payout to the property owner; and

**Whereas**, In this case, the insurance company and an engineering firm that it retained to assess the property owner's insurance claim were found to have deliberately hidden and re-written drafts of engineering reports; and

**Whereas**, By hiding and re-writing engineering report drafts, the insurance company overlooked damages that were caused by Hurricane Sandy to the homeowner's property, and deliberately avoided its obligation to make an insurance payout; and

**Whereas**, The Judge in this case concluded that this practice, whereby insurance companies modify engineering reports to avoid making insurance payouts or to underpay insurance payouts, may be widespread and systematic; and

**Whereas**, There is concern that as a result of this practice by insurance companies, property owners in New York City who were affected by Hurricane Sandy and who have already had their NFIP insurance claims resolved may have fallen victim to this same unfair, unjust process, resulting in denied or reduced NFIP insurance payouts; and

**Whereas**, In December 2014, the New York State Attorney General opened a criminal investigation into the way insurance companies and engineering firms have handled flood insurance claims by homeowners impacted by Hurricane Sandy; and

**Whereas**, United States Senators Chuck Schumer, Kirsten Gillibrand, Robert Menendez and Cory Booker have called on FEMA to reform the NFIP and the WYO to address this concern; and

**Whereas**, FEMA has committed to implementing reforms to the NFIP insurance claims process, which include raising the penalties levied against insurance companies for underpaying insurance claim payouts, requiring insurance companies to provide all engineering reports that are used in the assessment of damages to insurance claimants in unresolved lawsuits, reopening and reconsidering the appeal of 270 policyholders who suffered damages from Hurricane Sandy and had their appeal dismissed because they missed a particular FEMA deadline, and creating an insurance public advocate to assist policyholders through the claims and appeals process, but further reforms are needed; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the Federal Emergency Management Agency to re-examine all NFIP insurance claim payouts related to Hurricane Sandy for possible underpayment, and to henceforth require insurance companies to make available to flood insurance claimants all drafts of engineering reports that are used in the assessment of damages.

Referred to the Committee on Recovery and Resiliency.

Int. No. 635

By Council Members Ulrich, Ignizio, Matteo, Gentile, Koo and Lancman.

**A Local Law to amend the administrative code of the City of New York, in relation to creating a civil penalty for any individual who is convicted of fraud or property related crimes that occur in a mandatory evacuation zone during a mandatory evacuation period.**

*Be it enacted by the Council as follows:*

Section 1. Chapter one of title ten of the administrative code of the city of New York is amended by adding a new section 10-172 to read as follows:

§10-172. *Civil penalty for fraud or property related crimes committed in a mandatory evacuation zone during a mandatory evacuation period.*

a. *Definitions. For the purposes of this section the following terms shall have the following meanings:*

1. *"Fraud related offenses" shall mean any of the felonies, misdemeanors, or violations as defined in the following sections of the New York Penal Law: 170.10, 170.15, 190.25, 190.26, 190.60, 190.65, 195.20;*

2. *"Mandatory evacuation period" shall mean the timeframe during which the occupancy and use of buildings and homes is prohibited for public safety purposes in response to a natural or man-made disaster as determined by the mayor, pursuant to section 24 of the executive law;*

3. *"Mandatory evacuation zone" shall mean any area where the occupancy and use of buildings and homes is prohibited for public safety purposes in response to a natural or man-made disaster as determined by the mayor, pursuant to section 24 of the executive law; and*

4. *"Property related offenses" shall mean any of the felonies, misdemeanors, or violations as defined in the following articles or sections of the penal law: 140.10, 140.15, 140.17, 140.20, 140.25, 140.30, 145.00, 145.05, 145.10, 145.12, 145.15, 145.20, 150.01, 150.05, 150.10, 150.15, 150.20; and shall also mean the following sections of the penal law provided that the offense involves real property: 155.25, 155.30, 155.35, 155.40, 155.42.*

b. *Civil penalties. Any individual convicted of committing any of the offense set forth in subsection a of this section, against a person or property located in a mandatory evacuation zone during a mandatory evacuation period, shall be liable to the city for a civil penalty in the amount of not more than fifty thousand dollars. The corporation counsel, upon notification by an appropriate law enforcement agency that such a conviction has occurred, may commence a civil action under this section. Such civil penalty shall be in addition to any criminal penalty or sanction that may be imposed, and shall not limit or preclude any cause of action available to any person or entity aggrieved by any of the acts applicable to this section.*

§2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Int. No. 636

By Council Members Ulrich, Chin, Gentile, Mendez, Williams, Deutsch and Richards.

**A Local Law to amend the administrative code of the city of New York, in relation to an annual report on drainage infrastructure.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-529 to read as follows:

§ 24-529 *Annual report on drainage infrastructure. Each year, on or before February 1, the commissioner of environmental protection shall submit a report to the mayor and the speaker on the condition of municipal drainage infrastructure. Such report shall include a description of the current operational condition of all treatment locations, wastewater pump stations, sewer regulators and other critical drainage infrastructure and, for every instance in the prior year where infrastructure was either out of service or operating at a reduced capacity, a description of the affected infrastructure, the length of the disruption, whether such disruption was partial or full, the cause of the disruption and a description of any actions, whether conducted or planned, in response.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 637

By Council Members Van Bramer, Chin, Koo, Rose and Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to an annual report on commercial access to broadband.**

*Be it enacted by the Council as follows:*

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-303 to read as follows:

§ 23-303 *Annual report on commercial broadband. Each year, on or before February 1, the commissioner of information technology and telecommunications shall submit a report to the mayor and the speaker on the availability of broadband internet service for commercial properties. Such report shall include (i) a description of the availability of broadband internet service for commercial properties citywide and in concentrated tech center areas, including best available data on adoption rates, disaggregated by broadband technology and speed, and percentage of businesses with access to fiber optic connections; (ii) a description of the purpose and results of any city sponsored programs, active during the prior calendar year, the focus of which included the promotion or facilitation of commercial broadband adoption; and (iii) recommendations on how to increase commercial broadband adoption.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Technology.

Int. No. 638

By Council Members Van Bramer, Chin, Koo and Rose.



**A Local Law to amend the administrative code of the city of New York, in relation to limiting the duration of street resurfacing projects.**

*Be it enacted by the Council as follows:*

Section 1. Section 19-115 of the administrative code of the city of New York is amended to read as follows:

§ 19-115 Paving, generally. All streets shall be paved and arched in full accordance with department specifications for such work, which shall be prescribed by the commissioner and kept on file in his or her office[.], *provided that for street resurfacing projects, paving shall be completed within two weeks of the completion of milling. The commissioner may extend such time period to accommodate delays caused by weather.*

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

Referred to the Committee on Transportation.

Res. No. 553

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.689 and S.1461 of 2014, which would allow early voting in New York State.**

By Council Members Weprin, Cabrera, Chin, Constantinides, Johnson, Kallos, Koo, Richards, Rose, Williams and Rodriguez.

**Whereas**, Only 28.8% of eligible voters cast a ballot in the 2014 New York State General Election, near the bottom of the turnout rate for all states; and

**Whereas**, Some have attributed New York's low voter turnout to the State's lack of an early voting option; and

**Whereas**, Thirty-three states and the District of Columbia offer voters the option of no-excuse, in-person voting before Election Day, while three states exclusively utilize vote-by-mail; and

**Whereas**, Only 14 states allow only in-person voting on Election Day or voting by absentee ballot with a required excuse; and

**Whereas**, New York is one of these 14 states, as a voter in New York must visit his or her assigned polling location between 6:00 A.M. and 9:00 P.M. on Election Day in order to cast a vote; and

**Whereas**, A voter may only vote prior to Election Day in New York by absentee ballot and, even then, only if such voter affirms that he or she has an acceptable reason for being unable to physically visit at his or her assigned polling site on Election Day; and

**Whereas**, In the 2012 General Election, between 30% and 40% of voters nationwide cast their ballot before Election Day; and

**Whereas**, A 2010 United States Census Bureau survey found that the most common reason cited by non-voters for not voting is a category defined as "No time off/too busy"; and

**Whereas**, Allowing voters more than a single day to vote would accommodate those who are physically unable to vote on Election Day; and

**Whereas**, The 15-hour window of opportunity to vote in New York potentially results in disenfranchisement due to unintended delays in opening poll sites, as occasionally happens, locally, given the large number of poll sites in New York City; and

**Whereas**, Evidence suggests that, when combined with same-day registration, early voting has a positive effect on voter turnout; and

**Whereas**, If enacted, A.689 by Speaker Silver, and companion bill S.1461 by Senator Stewart-Cousins, would address the need for early voting by enabling registered voters to vote any day in a designated two week period prior to any General Election, and any day in a designated one week period prior to any Primary or Special Election; and

**Whereas**, These bills would bring New York State in line with two-thirds of the states and contribute to more representative elections in the future; 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, A.689 and S.1461 of 2014, which would allow early voting in New York State.

Referred to the Committee on Governmental Operations.

Int. No. 639

By Council Members Williams, Torres, Lancman, Johnson, Wills, Gibson, Arroyo, Chin, Mendez, Rose and Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit quarterly reports relating to the issuance of summonses.**

*Be it enacted by the Council as follows:*

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

§14-155. *Summonses. a. The commissioner shall submit to the council and the mayor within twenty days of the beginning of each fiscal year quarter, and post to the department's website within thirty days of each fiscal year quarter, a report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, of the number of criminal court summonses issued, not including any situation in which the arrestee is transported to the precinct, broken down by: (i) race of suspect; (ii) gender of suspect; (iii) age of suspect; and (iv) the offense charged, including but not limited to marijuana violations.*

§2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Int. No. 640

By Council Members Wills, Cumbo, Kallos, Palma, Williams, Mendez, Dickens, Arroyo, Koo and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring social workers in child care centers.**

*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 new section 21-909 to read as follows:

§ 21-909 *Social workers in child care centers. a. Definition. For the purposes of this section, the following terms shall have the following meanings:*

1. "Child care center" means group centers operated by ACS or a provider under contract or similar agreement with ACS providing care for less than 24 hours a day to children ages 6 weeks to 5 years old.

2. "Full-time" means working an average of thirty hours or more per week.

3. "Social worker" means any personnel, licensed and certified by New York state as a licensed master of social work or a clinical social worker as defined in section 7701 of the education law.

*b. Every child care center providing services to 40 or more children shall have a full-time social worker on staff.*

§ 2. This local law shall become effective 90 days after its enactment into law.

Referred to the Committee on General Welfare.

Res. No. 554

**Resolution calling upon the New York State Legislature to require all New York City funded daycare centers and programs that serve forty or more children to provide an on-site social worker and to increase the per-child slot reimbursement amount.**

By Council Members Wills, Kallos, Palma, Williams, Mendez, Greenfield, Dickens, Arroyo, Koo, Richards and Rose.

**Whereas**, The New York City Department of Education (DOE) advises that wellness means being healthy in both body and mind, and further confirms that New York City public schools offer a wide range of wellness programs; and

**Whereas**, DOE states that student success depends on a blend of academic skills, good health, and physical and mental fitness; and

**Whereas**, According to the United States Bureau of Labor Statistics (BLS), social workers provide help and services to children and their families; and

**Whereas**, The BLS further informs that social workers' main goal is to increase the child's psychological and educational levels, and to improve the safety of his or her home life; and

**Whereas**, Children and their families could greatly benefit from the addition of a social worker to their daycare experience; and

**Whereas**, According to the New York City Department of Health and Mental Hygiene, (DOHMH), mental health services are available for children from birth to 18 years of age; and

**Whereas**, DOHMH supports services to children with emotional, behavioral and mental health challenges; and

**Whereas**, DOHMH further informs that the purpose of treatment is to identify and treat emotional disturbances, strengthen family functioning and support children in their natural environments; and

**Whereas**, Despite the DOHMH's recognition of the benefit of mental health services for all New Yorkers, including those of tender years, currently, daycare centers in New York City are not required to provide the services of social workers at their facilities, although children would benefit from such early intervention regarding their mental health; and

**Whereas**, Daycare centers are ideal locations at which to observe children, as children spend a large portion of their day there, and they are observable in a natural setting, with both other children and adults; and

**Whereas**, The per-slot reimbursement amount paid to daycare center operators should be increased, in an amount to be determined upon study, to compensate for

the additional expenses to be incurred by those day care centers making available vital social worker provided professional services; Now, therefore, be it

**Resolved**, That the Council of the City of New York hereby calls upon the New York State Legislature to require all New York City funded daycare centers and programs that serve forty or more children to provide an on-site social worker and to increase the per-child slot reimbursement amount.

Referred to the Committee on General Welfare.

L.U. No. 170

By Council Member Greenfield:

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

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 171

By Council Member Greenfield:

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

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 172

By Council Member Greenfield:

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

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

**ANNOUNCEMENTS:**

**Friday, January 23, 2015**

Committee on Health jointly with the Committee on **EDUCATION**..... **11:00 A.M.**  
 Int 85 - By Council Members Levin, Johnson, Levine, Williams, Eugene, Dromm, Dickens and Van Bramer - A Local Law to amend the administrative code of the city of New York, in relation to the health and safety of youth football teams.  
 Int 86 - By Council Members Levin, Johnson, Levine, Williams, Koo, Eugene, Dromm, Constantinides, Cornegy, Van Bramer and Mendez - A Local Law in relation to the creation of a youth sports health and safety task force.  
 Council Chambers – City Hall ..... Corey Johnson, Chairperson  
 .....Daniel Dromm, Chairperson

★ *Deferred*  
 Committee on **WATERFRONTS** ..... **1:00 P.M.**  
 Agenda to be announced  
 Committee Room – City Hall ..... Deborah Rose, Chairperson

**Monday, January 26, 2015**

★ *Deferred*  
 Committee on **HOUSING AND BUILDINGS** ..... **10:00 A.M.**  
 Oversight – A Review of the 421-a Tax Benefit Program  
 Committee Room – City Hall ..... Jumaane D. Williams, Chairperson

Committee on **PUBLIC SAFETY** jointly with the Committee on **COURTS AND LEGAL SERVICES** ..... **10:00 A.M.**  
 Oversight – Examining How the City Evaluates the Effectiveness of the Provision of Indigent Defense  
 Council Chambers – City Hall ..... Vanessa L. Gibson, Chairperson  
 ..... Rory Lancman, Chairperson

★ *Deferred*  
 Committee on **VETERANS** ..... **1:00 P.M.**  
 Agenda to be announced  
 Committee Room – City Hall ..... Eric Ulrich, Chairperson

**Tuesday, January 27, 2015**

Committee on **EDUCATION** ..... **10:00 A.M.**  
 Oversight - Overcrowding in NYC Public Schools  
 Council Chambers – City Hall ..... Daniel Dromm, Chairperson

★ *Deferred*  
 Committee on **PUBLIC HOUSING** ..... **10:00 A.M.**  
 Oversight – A Fair Deal for NYCHA? A Look at NYCHA’s Decision to Sell a Stake in Project Based Section 8 Housing to Private Developers  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Ritchie Torres, Chairperson

Committee on **ECONOMIC DEVELOPMENT** ..... **1:00 P.M.**  
 Oversight – Economic Development in Sunset Park  
 Committee Room – City Hall ..... Daniel Garodnick, Chairperson

Committee on **FIRE AND CRIMINAL JUSTICE SERVICES** jointly with the Committee on **RECOVERY AND RESILIENCY** ..... **1:00 P.M.**  
 Oversight - Examining the City’s Enhanced Emergency Response Plans post Superstorm Sandy.  
 Council Chambers – City Hall ..... Elizabeth Crowley, Chairperson  
 ..... Mark Treyger, Chairperson

★ *Deferred*  
 Committee on **COURTS AND LEGAL SERVICES** ..... **1:00 P.M.**  
 Agenda to be announced  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Rory Lancman, Chairperson

Committee on **HIGHER EDUCATION** ..... **1:00 P.M.**  
 Proposed Int 517-A - By The Public Advocate (Ms. James) and Council Members Gibson, Chin, Constantinides, Cumbo, Koo, Lander and Mendez - A Local Law to amend the administrative code of the city of New York, in relation to information and city services to reduce college sexual assault.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Inez Barron, Chairperson

**Wednesday, January 28, 2015**

Committee on **SANITATION AND SOLID WASTE MANAGEMENT** ..... **10:00 A.M.**  
 Int 495 - By Council Members Levin, Reynoso, Palma, Arroyo, Miller, King, Levine, Chin, Richards, Rosenthal, Torres, Rodriguez, Cumbo, Mendez, Eugene, Dickens, Cabrera, Gibson, Cornegy, Johnson, Lander, Constantinides, Lancman, Cohen and Dromm - A Local Law to amend the administrative code of the city of New York, in relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer stations in overburdened districts.  
 Council Chambers – City Hall ..... Antonio Reynoso, Chairperson

Committee on **CONSUMER AFFAIRS** ..... **1:00 P.M.**  
 Oversight – Education and Outreach on Financial Literacy for Young Adults.  
 Int 458 - By Council Members Treyger, Barron, Constantinides, Espinal, Gentile, King, Rodriguez and the Public Advocate (Ms. James) - A Local Law to require the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Rafael L. Espinal, Chairperson

★ *Note Revised Topic*  
 Committee on **AGING** jointly with the Committee on **TRANSPORTATION** and Committee on **MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, DRUG ABUSE AND DISABILITY SERVICES** ..... **1:00 P.M.**

★ Oversight – How Access-A-Ride Serves the City’s Seniors and People with Disabilities

Council Chambers – City Hall ..... Margaret Chin, Chairperson  
 ..... Ydanis Rodriguez, Chairperson  
 ..... Andrew Cohen, Chairperson

**Thursday, January 29, 2015**

Committee on **HOUSING AND BUILDINGS** ..... **10:00 A.M.**  
 Oversight – A Review of the 421-a Tax Benefit Program  
 Council Chambers – City Hall ..... Jumaane D. Williams, Chairperson

★ *Deferred*

Committee on Oversight and Investigations ..... **10:00 a.m.**  
 Agenda to be announced  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor  
 ..... Vincent J. Gentile, Chairperson

Committee on **CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL INTERGROUP RELATIONS** ..... **1:00 P.M.**  
 Int 547 - By Council Members Van Bramer, Koo and Barron - ..Title  
 A Local Law to amend the New York city charter, in relation to cultural liaisons.  
 Committee Room – City Hall..... James Van Bramer, Chairperson

Committee on **PARKS AND RECREATION**..... **1:00 P.M.**  
 Proposed Int 384-A - By Council Members Levine, Lander, Arroyo, Chin, Cohen, Gentile, Johnson, King, Koo, Mendez, Reynoso, Rodriguez, Vacca and Rosenthal -  
 A Local Law to amend the administrative code of the city of New York, in relation to an annual report on non-governmental funding for New York city parks.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Mark Levine, Chairperson

★ *Deferred*

Committee on **HIGHER EDUCATION**..... **1:00 P.M.**  
 Proposed Int 517 A – By The Public Advocate (Ms. James) and Council Members Gibson, Chin, Constantinides, Cumbo, Koo, Lander and Mendez – A Local Law to amend the administrative code of the city of New York, in relation to information and city services to reduce college sexual assault.  
 Committee Room – City Hall ..... Inez Barron, Chairperson

★ *Deferred*

Committee on **ENVIRONMENTAL PROTECTION** ..... **1:00 P.M.**  
 Res 251 – By Council Members Cohen, Levine, Rodriguez, Rosenthal, Mendez, Constantinides, Johnson, Rose, Garodnick, Palma, Arroyo, Koo, Richards, Crowley, Koslowitz, Deutsch, Laneman, Vallone, Dromm, Levin, Vacca, Gentile, Gibson, Torres, Van Bramer, Weprin, Kallos and Treyger – ..Title  
 Resolution calling on the Borough of Engelwood Cliffs, New Jersey, to withdraw the variance it issued to the LG Corporation that would allow LG to build its new headquarters to exceed the 35 foot height limit established in the Borough’s zoning law and reverse the zoning law change that would allow structures to be built over 35 feet without a variance, and calling on the LG Corporation to respect the integrity of the Palisades by voluntarily redesigning its proposal to comply with the current zoning law.  
 ..Body  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor  
 ..... Donovan Richards, Jr., Chairperson

★ *Deferred*

Committee on **VETERANS** ..... **1:00 P.M.**  
 Int 600 – By Council Members Vallone, Ulrich, Arroyo, Cabrera, Cohen, Constantinides, Eugene, Gentile, Richards, Rose and Wills – A Local Law to amend the administrative code of the city of New York, in relation to requiring the reporting of veterans receiving agency services.  
 Int \_\_\_\_\_ By Council Member Eugene – A Local Law t..Title  
 ttto amend the New York city charter, in relation to membership of the veterans advisory board.  
 Int \_\_\_\_\_ By Council Member Ulrich – A Local Law ..Title  
 ttto amend the New York city charter, in relation to meetings of the veterans advisory board.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Eric Ulrich, Chairperson

**Friday, January 30, 2015**

Committee on **JUVENILE JUSTICE**..... **10:00 A.M.**  
 Oversight – Overview of the Division of Youth and Family Justice’s Services and Programs for Remanded Youth  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Fernando Cabrera, Chairperson

**Monday, February 2, 2015**

Subcommittee on **ZONING & FRANCHISES**.....**9:30 A.M.**  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Mark Weprin, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES** .....**11:00 A.M.**  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Peter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS**..... **12:00 P.M.**  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Inez Dickens, Chairperson

**Tuesday, February 3, 2015**

★ *Deferred*

Committee on **ENVIRONMENTAL PROTECTION** ..... **1:00 P.M.**  
 Res 251 – By Council Members Cohen, Levine, Rodriguez, Rosenthal, Mendez, Constantinides, Johnson, Rose, Garodnick, Palma, Arroyo, Koo, Richards, Crowley, Koslowitz, Deutsch, Laneman, Vallone, Dromm, Levin, Vacca, Gentile, Gibson, Torres, Van Bramer, Weprin, Kallos and Treyger – ..Title  
 Resolution calling on the Borough of Engelwood Cliffs, New Jersey, to withdraw the variance it issued to the LG Corporation that would allow LG to build its new headquarters to exceed the 35 foot height limit established in the Borough’s zoning law and reverse the zoning law change that would allow structures to be built over 35 feet without a variance, and calling on the LG Corporation to respect the integrity of the Palisades by voluntarily redesigning its proposal to comply with the current zoning law.  
 ..Body  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor  
 ..... Donovan Richards, Jr., Chairperson

**Wednesday, February 4, 2015**

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

**Thursday, February 5, 2015**

★ *Deferred*

Committee on **VETERANS** ..... **1:00 P.M.**  
 Int 600 – By Council Members Vallone, Ulrich, Arroyo, Cabrera, Cohen, Constantinides, Eugene, Gentile, Richards, Rose and Wills – A Local Law to amend the administrative code of the city of New York, in relation to requiring the reporting of veterans receiving agency services.  
 Int 611 – By Council Member Eugene – A Local Law t..Title  
 ttto amend the New York city charter, in relation to membership of the veterans advisory board.  
 Int 619 – By Council Member Ulrich – A Local Law ..Title  
 ttto amend the New York city charter, in relation to meetings of the veterans advisory board.  
 Committee Room – City Hall ..... Eric Ulrich, Chairperson

**Monday, February 9, 2015**

Committee on **RECOVERY AND RESILIENCY** ..... **10:00 A.M.**  
 Agenda to be announced

Council Chambers – City Hall ..... Mark Treyger, Chairperson

**Tuesday, February 10, 2015**

★ *Addition*

Committee on **PUBLIC HOUSING** ..... **10:00 A.M.**

Oversight – A Fair Deal for NYCHA? A Look at NYCHA’s Decision to Sell a Stake in Project-Based Section 8 Housing to Private Developers

Council Chambers – City Hall ..... Ritchie Torres, Chairperson

Committee on **PARKS AND RECREATION** ..... **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14<sup>th</sup> Floor ..... Mark Levine, Chairperson

★ *Addition*

Committee on **VETERANS** ..... **1:00 P.M.**

Int 600 - By Council Members Vallone, Ulrich, Arroyo, Cabrera, Cohen, Constantinides, Eugene, Gentile, Richards, Rose and Wills - A Local Law to amend the administrative code of the city of New York, in relation to requiring the reporting of veterans receiving agency services.

Int 611 - By Council Member Eugene - A Local Law t..Title

ttto amend the New York city charter, in relation to membership of the veterans advisory board.

Int 619 - By Council Member Ulrich - A Local Law ..Title

ttto amend the New York city charter, in relation to meetings of the veterans advisory board.

Committee Room – 250 Broadway, 16<sup>th</sup> Floor ..... Eric Ulrich, Chairperson

**Thursday, February 12, 2015**

*Stated Council Meeting* ..... *Ceremonial Tributes – 1:00 p.m.*

..... *Agenda – 1:30 p.m.*

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Thursday, February 12, 2015.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor’s Local Law Note:* Int Nos. 491-A, 492-A, 530, and 550-A, all adopted at the December 8, 2014 Stated Meeting, were returned unsigned by the Mayor on January 7, 2015. These bills became law on January 8, 2015 pursuant to the City Charter due to the lack of Mayoral action within the Charter-prescribed thirty day time period and were assigned subsequently as, respectively, Local Law Nos. 1, 2, 3, and 4 of 2015.

Int Nos. 55-A, 73-A, 136-A, 146-A, 358-A, and 588, all adopted at the December 17, 2014 Stated Meeting, were returned unsigned by the Mayor on January 16, 2015. These bills became law on January 17, 2015 pursuant to the City Charter due to the lack of Mayoral action within the Charter-prescribed thirty day time period and were assigned subsequently as, respectively, Local Law Nos. 5, 6, 7, 8, 9, and 10 of 2015.

Int No. 489-B, adopted by the Council at the January 7, 2015 Charter Meeting, was signed into law by the Mayor on January 22, 2015 as Local Law No. 11 of 2015.





