

**THE COUNCIL**

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*Minutes of the Proceedings for the*  
**STATED MEETING**  
*of*  
Tuesday, October 31, 2017, 2:11 p.m.

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

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Member Cabrera, Crowley, Ferreras-Copeland.

Maternity Leave: Council Member Cumbo.

There is presently a vacant seat on the Council pending the swearing in of the certified winner of the November 8, 2017 General Election for the 28th Council District in Queens.

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

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

*There were 46 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.*

### INVOCATION

The Invocation was delivered by Pastor Sharmine F. Byrd Sr., Pastor Greater Mt. Carmel Cathedral & Worship Center, 1585 Fulton Street, Brooklyn, N.Y. 11213.

Gracious God and Creator of all things,  
we come before you to thank you for allowing us to see a brand new day.  
We thank you for us being in good spirits and having sound mind;  
now we ask that those who are chosen to lead  
be granted fortitude, strength, knowledge, and wisdom.  
We ask for abundant blessings upon and for  
our Council Speaker Melissa Mark-Viverito and our Public Advocate Letitia James.  
We ask your hand of protection over us as we move and travel this day.  
We ask that you hear, accept, and grant these petitions as we say Amen.

Council Member Cornegy moved to spread the Invocation in full upon the record.

### ADOPTION OF MINUTES

Council Member Borelli moved that the Minutes of the Stated Meeting of September 7, 2017 be adopted as printed.

### LAND USE CALL-UPS

M-558

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

**Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application no. C 170447 ZSX, related to applications N 170446 ZRX, and C 170445 ZMX, shall be subject to Council review.**

Coupled on Call-Up Vote.

M-559

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

**Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application no. C 170444 ZSM, related to applications N 170443 ZRM, and N 170442 ZMM, shall be subject to Council review.**

Coupled on Call-Up Vote.

M-560

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

**Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure application nos. C 170418 ZSK, C 170419 ZSK, and C 170420 PPK related to applications C 170416 ZMK and N 170417 ZRK, shall be subject to Council review.**

Coupled on Call-Up Vote.

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

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

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

## REPORTS OF STANDING COMMITTEES

### Report of the Committee on Consumer Affairs

Report for Int. No. 1652-A

**Report of the Committee on Consumer Affairs 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 security cameras and security guards at certain eating or drinking establishments and repealing subchapter 20 of title 20 of such code, relating to licensing public dance halls, cabarets and catering establishments.**

The Committee on Consumer Affairs, to which the annexed proposed amended local law was referred on June 21, 2017 (Minutes, page 2208), respectfully

### REPORTS:

#### I. INTRODUCTION

On Monday, October 30<sup>th</sup>, 2017, the Committee on Consumer Affairs, chaired by Council Member Rafael Espinal will hold a vote on Proposed Introductory Bill Number 1652-A (“Proposed Int. No. 1652-A), A Local Law to amend the administrative code of the city of New York, in relation to security cameras and security guards at certain eating or drinking establishments and repealing subchapter 20 of title 20 of such code, relating to licensing public dance halls, cabarets and catering establishments.

The Committee held two previous public hearings on the issue of the Cabaret Law, including an oversight hearing on June 19, 2017, titled “Enforcement of New York City’s Cabaret Law.” As a result of that hearing, Local Law 178 of 2017, in relation to establishing an office of nightlife and a nightlife advisory board, was passed by the Council on August 24, 2017, and signed into law by the Mayor on September 9, 2017.

On September 14, 2017, the Committee held its second hearing on the Cabaret Law, where several witnesses representing the Administration, the nightlife industry, advocates, and other interested parties testified on Proposed Int. No. 1652-A. Proposed Int. No. 1652-A represents a continuation of the Committee’s efforts to reform regulation of the nightlife industry.

#### II. BACKGROUND

The Cabaret Law was first introduced in 1926, during the Prohibition era, to crack down on establishments run by racketeers. Some academics argue that the law’s true aim was to prevent interracial mingling in Harlem jazz clubs.<sup>1</sup> Over the last several decades, the Cabaret Law has diminished as a result of court challenges and legislative updates. In *Club Winks v. New York City*,<sup>2</sup> the New York State Supreme Court ruled that the provisions of the Cabaret Law authorizing the denial or refusal to renew a license based upon a broad listing of criminal convictions and requiring the disclosure of stockholders holding a minimum of ten percent stock interest in a corporation and the source of their money was unconstitutional. In *Chiasson v. City of New York*<sup>3</sup> the State Supreme Court found that the City failed to articulate a legitimate interest in restricting performance of live music to piano, organ, accordion, guitar or any stringed instrument. The Court further invalidated the portion of the Cabaret Law that restricted performance of live music to not more than three musicians.<sup>4</sup> Despite the courts striking down several provisions of the Cabaret Law, most of the unconstitutional provisions remain in the text of the law to this day, causing confusion.

<sup>1</sup> Paul Chevigny, *Gigs: Jazz and the Cabaret Laws in New York City*, 2d ed., (2005).

<sup>2</sup> (1979) 99 Misc.2d 787, 417 N.Y.S.2d 178.

<sup>3</sup> 132 Misc.2d 640, 505 N.Y.S.2d 499 (Sup.Ct., N.Y. County 1986)

<sup>4</sup> *Chiasson v. City of New York*, 138 Misc.2d 394, 524 N.Y.S.2d 649 [“Chiasson II”]

Notwithstanding several problematic provisions, the courts were not prepared to strike down the Cabaret Law in its entirety due to concerns for public safety. In *Festa v. City of New York*,<sup>5</sup> the New York State Supreme Court upheld the Cabaret Law, despite its questionable history, recognizing that as it currently stands, “the legitimate purpose of the City’s licensing requirements includes the protection of the health and safety of the people of New York City. ... [T]he additional burden of verifying compliance is justified where there is risk of injury and loss of life in establishments which offer dancing.”<sup>6</sup>

Today, the Cabaret Law represents a collection of local laws and zoning laws, rules, and regulations that ensure establishments meet several safety measures, such as installing sprinkler systems, fire alarms and surveillance cameras.

As the population of New York City continues to grow, people and businesses are moving into the outer boroughs, resulting in higher demand for bars, restaurants and entertainment spaces. Between 2000 and 2015, business in the city grew, but businesses in the Downtown and Midtown Central Business Districts fell from 39% to 31%. In the City’s gentrifying neighborhoods business grew by 45%.<sup>7</sup> Among such establishments is the growing popularity of “do-it-yourself venues” or “DIY venues,” often located in vacant warehouses, office spaces, waterfront parks, and even laundromats. For example, the Metro Community Laundromat in Williamsburg became one such location hosting the “Dirty Disco Laundrette Party.”<sup>8</sup> This growth has also coincided with an increase in the number of resident noise complaints, particularly in the Brooklyn neighborhoods of Williamsburg and Bushwick.<sup>9</sup> It has also led to concerns over safety. In December 2016, a deadly fire during a pop-up type party in a warehouse space in Oakland, California placed the spotlight on the dangers of illegal clubs that do not meet safety standards. A fire broke out resulting in 36 deaths from smoke inhalation. The building was in violation of fire and electrical codes.<sup>10</sup> The tragedy caused cities across the nation to take notice of DIY venues operating illegally and the potential risks they pose.<sup>11</sup>

In New York City, many venues with dancing do not possess a cabaret license, and as a result, have encountered police enforcement.<sup>12</sup> The New York City Administrative Code requires that any “cabaret” must secure a license from the Department of Consumer Affairs (“DCA”).<sup>13</sup> To obtain a cabaret license, an establishment must meet zoning, building code, and fire code requirements. Article III of Chapter 2 of the Zoning Resolution limits “establishments of any capacity with dancing” to Use Group 12 uses, which are generally only permitted, with some limitations, in C4, C6, C7, C8, and manufacturing zoning districts.<sup>14</sup> The Building Code requires cabarets with capacities exceeding 75 to install manual fire alarms.<sup>15</sup> It also requires cabarets of any capacity to install automatic sprinkler systems.<sup>16</sup> In response to a spate of shooting, rapes and murders<sup>17</sup> involving the security guards and bouncers of various nightclubs, the Council passed Local Law 35

<sup>5</sup> 820 N.Y.S.2d 452 (2006), aff’d 37 A.D.3d 343 (N.Y. App. Div., 2007), dismissing appeal 9 N.Y.3d 858 (N.Y. Ct. App., 2007).

<sup>6</sup> Id.

<sup>7</sup> Office of the New York City Comptroller, *The New Geography of Jobs: A Blueprint for Strengthening NYC Neighborhoods* (Executive Summary), April 25, 2017, <https://comptroller.nyc.gov/reports/the-new-geography-of-jobs-a-blueprint-for-strengthening-nyc-neighborhoods/>

<sup>8</sup> J. Rachel Reyes, “Pop-Up Disco at Metro Community Laundromat. Wait. What?” (June 13, 2011), *Free Williamsburg*, <http://freewilliamsburg.com/pop-up-disco-at-metro-community-laundromat>

<sup>9</sup> Ben Wellington, Mapping New York’s noisiest neighborhoods,” (January 17, 2015), *The New Yorker*, <http://www.newyorker.com/tech/elements/mapping-new-york-noise-complaints>

<sup>10</sup> Paige St. John, “The Ghost Ship fire was ‘a matter of benign neglect.’ It’s not the only one,” (December 28, 2016), *LA Times*, <http://www.latimes.com/local/lanow/la-me-ghost-ship-owner-20161227-story.html>

<sup>11</sup> Judy Woodruff, “After Oakland fire, a nationwide crackdown on warehouse spaces,” (December 9, 2016), *PBS*, <http://www.pbs.org/newshour/bb/oakland-fire-nationwide-crackdown-warehouse-spaces/>

<sup>12</sup> Justine Joffe, “NYPD Conducts ‘Gotcha’ Raid on Nonprofit Market Hotel, Tweets High Fives,” (October 13, 2016), <http://observer.com/2016/10/todd-p-on-market-hotel-shut-down-aggravating-to-see-its-motivations-questioned/>; Alan Krawitz, “Arts advocates renew call to end New York City’s antiquated cabaret laws,” (June 1, 2017), *Metro*, <http://www.metro.us/news/local-news/new-york/arts-advocates-renew-call-end-new-york-citys-antiquated-cabaret-laws>

<sup>13</sup> NYC Admin Code, Title 20, Chapter 2, Subchapter 20, §§20-359 – 20-369.

<sup>14</sup> Zoning Resolution (web version), Article III: Commercial District Regulations, Chapter 2 Use Regulations, <https://www1.nyc.gov/assets/planning/download/pdf/zoning/zoning-text/art03c02.pdf>; Department of City Planning, Use Group Tool, <https://www1.nyc.gov/site/planning/zoning/districts-tools/use-groups.page>

<sup>15</sup> § BC 907.2

<sup>16</sup> § BC 903.2.1.2

<sup>17</sup> See Baker and Fahim, “Who Killed Student? 17-Hour Gap Holds Answers,” *N.Y. Times*, March 2, 2006; The Associated Press, “Bouncer Indicted in Chelsea shootings,” *Newsday* (N.Y.), June 10, 2006; Alan Feuer, “A Teenager’s Last Steps on a Trail of Missed Chances,” *N.Y. Times*, July 29, 2006

of 2006, requiring security guards who are certified and subjected to rigorous background checks by the state, and, and Local Law 7 of 2007, requiring surveillance cameras at all public dance halls and cabarets.<sup>18</sup>

These regulatory requirements tend to be more onerous than those applied to venues without dancing. For example, restaurants must only install automatic sprinkler systems if their capacity exceeds 300. As such, some club owners complain that the costs are excessive for smaller venues.<sup>19</sup> City officials have argued that dancing presents additional safety concerns beyond those present in establishments without dancing, hence the need for such restrictions.<sup>20</sup> Various provisions of the Zoning Resolution provide additional justifications for the measures, which include the need to limit crowds and lineups in front of establishments; to maintain a distance from residential districts; to limit undue vehicle and pedestrian traffic; to limit noise; and to preserve the character of surrounding residential or mixed-use neighborhoods.<sup>21</sup>

Advocates from the music and arts community maintain that New York City's laws should not focus on "dancing," per se. The restrictions in the Zoning Resolution means that bars and restaurants that are not located in areas zoned for dancing cannot obtain a cabaret license. Therefore, if patrons start dancing, a bar or restaurant risks being shuttered for being an unlicensed cabaret.

It is this scenario that prompted the owner of Muchmore's Café in Williamsburg to sue the City on the grounds that the Cabaret Law unconstitutionally restricts dancing. Although prior litigants were unsuccessful in *Festa*,<sup>22</sup> the tune appeared to shift in the Muchmore's Café case, where the U.S. District Court of Eastern District of New York was not prepared to rule on a motion for summary judgment that social dancing did not attract First Amendment protections.<sup>23</sup>

Regulating the nightlife industry is certainly not a unique issue facing New York City. Cities across the United States and indeed the world have taken unique approaches to address concerns with the nightlife industry. One such approach, spearheaded by the city of Amsterdam is the introduction of a *nachtburgemeester* – or "night mayor," who is responsible for nurturing the nightlife economy and improving relations between nightlife businesses, residents and government. This model was recently adopted by the New York City Council. Several witnesses testified at the June 19, 2017 hearing in favor the establishment of an Office of Nightlife and a Nightlife Advisory Board, as well as repealing the Cabaret Laws. As such, On August 24, 2017, the City Council passed Introductory Bill No.1688, A Local Law to amend the New York city charter, in relation to establishing an office of nightlife and a nightlife advisory board. This bill was signed into law by the Mayor on September 9, 2017.

Proposed Int. No. 1652-A, represents another step towards improving the regulation of nightlife establishments. The bill repeals the requirement to obtain a cabaret license, but maintains all of the important safety measures on security guards and surveillance cameras. The repeal does not affect other fire and electrical safety requirements in the Administrative Code, nor does it impact zoning requirements.

### **III. PROPOSED INT. NO. 1652-A**

Proposed Int. No. 1652-A has undergone some minor changes since its first hearing on September 14, 2017. The changes namely include: 1) Updating and reenacting current §§ 20-360.1 (relating to security guard requirements) and 20-360.2 (relating to the installation of security cameras) under a new § 10-777 in Title 10 of the Administrative Code, as enforcement is traditionally carried out by the police department as opposed to the Department of Consumer Affairs; 2) Removing the definition of "nightlife establishment" from Proposed Int. No. 1652-A to allow the Office of Nightlife and the Nightlife Advisory Board the opportunity to make recommendations on a new definition that avoids the legal pitfalls that frequently plagued the former definition of "cabaret"; and 3) Requiring only "eating or drinking establishments," as described in § 32-21 of the Zoning Resolution, located in Use Group 12 zoning districts, to abide by requirements to install/maintain security cameras and ensure any security guards they employ are licensed and included in a roster. Under the current

<sup>18</sup> For a careful detailing on these incidents, please see the committee reports for Local Law 35 of 2006 and Local Law 7 of 2007.

<sup>19</sup> Paul Chevigny, *Gigs: Jazz and the Cabaret Laws in New York City*, 2d ed., (2005).

<sup>20</sup> Zoning Resolution §§ 32-21 and 73-244; See also Defendants/Respondents Brief in *Festa v. City of New York*, 830 N.Y.S.2d 133, 37 A.D.3d 343 (N.Y. App. Div. 2007).

<sup>21</sup> *Ibid.*

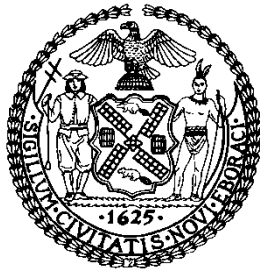
<sup>22</sup> *Festa v. City of New York*, 820 N.Y.S.2d 452 (2006), aff'd with modification, 830 N.Y.S.2d 133, 37 A.D.3d 343 (N.Y. App. Div. 2007), appeal dismissed by, 872 N.E.2d 870 (N.Y. 2007).

<sup>23</sup> *Muchmore's Café LLC v. City of New York*, No. 14-CV-5668 (E.D.N.Y. Sept. 29, 2016).

law, these eating or drinking establishments are required to install cameras and ensure any security guards they employed were licensed – and must continue to abide by such requirements with the passage of Proposed Int. No. 1652. The Office of Nightlife and the Nightlife Advisory Board should evaluate what additional establishments, if any, may need to abide by these security requirements pursuant to Local Law 178 of 2017.

Exemptions under current § 20-362 of the Administrative Code are also reenacted as subdivision e of § 10-177. Sections one, three and four of the bill amend provisions of the Administrative Code that contain cross-references to Subchapter 20 of Title 20, covered by the repeal. Section five repeals all of Subchapter 20 of Chapter 2 of Title 20 relating to the licensing of cabarets, public dance halls and catering establishments.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1652-A:)**



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

**PROPOSED INTRO. NO: 1652-A  
COMMITTEE: Consumer Affairs**

**TITLE:** Local Law to amend the administrative code of the city of New York, in relation to security camera and security guards at certain eating or drinking establishments and repealing subchapter 20 of title 20 of such code, relating to licensing public dance halls, cabarets, and catering establishments.

**SPONSOR(S):** Council Members Espinal, Reynoso, Levin, Rosenthal, Koslowitz, Johnson, Torres, Williams, Perkins, Dromm, Maisel, Mendez, Grodenchik, Menchaca, Treyger, Cornegy, Cumbo, Gentile, Richards, Van Bramer, Levine, Rodriguez and Ulrich

**SUMMARY OF LEGISLATION:** Proposed Intro. 1652-A would repeal the requirements in the Administrative Code relating to the licensing of public dance halls, cabarets, and catering establishments, but would preserve the existing security requirements. Specifically, establishments previously required to obtain a cabaret license would continue to be required: 1) to install and maintain security cameras, and 2) if they employ security guards, to ensure such security guards are licensed pursuant to state law and to maintain a roster of such security guards.

**EFFECTIVE DATE:** This local law would take effect 120 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	(\$40,000)	(\$85,000)	(\$85,000)
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	(\$40,000)	(\$85,000)	(\$85,000)

**IMPACT ON REVENUES:** It is anticipated that the repeal of licensing for public dance halls, cabarets, and catering establishments would result in a revenue loss of \$85,000 annually from licensing fees and related

ines. As this legislation would take effect approximately six months into the City's fiscal year, it anticipated that there will be a loss of \$40,000 in foregone revenue.

**IMPACT ON EXPENDITURES:** There would be no impact on expenditures.

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

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

**ESTIMATE PREPARED BY:** Andrew Wilber, Financial Analyst, Finance Division

**ESTIMATE REVIEWED BY:** John Russell, Unit Head, Finance Division  
Rebecca Chasan, Counsel, Finance Division

**LEGISLATIVE HISTORY:** The legislation was introduced to the Council on June 21, 2017 as Intro. No. 1652 and was referred to the Committee on Consumer Affairs (Committee). The legislation was subsequently amended and the amended version, Proposed Intro. No. 1652-A was considered by the Committee at a hearing on September 14, 2017 and the bill was laid over. Proposed Intro. No. 1652-A will again be considered by the Committee on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1652-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 26, 2017.

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

**(The following is the text of Int. No. 1652-A:)**

Int. No. 1652-A

By Council Members Espinal, Reynoso, Levin, Rosenthal, Koslowitz, Johnson, Torres, Williams, Perkins, Dromm, Maisel, Mendez, Grodenchik, Menchaca, Treyger, Cornegy, Cumbo, Gentile, Richards, Van Bramer, Levine, Rodriguez, Garodnick, Chin and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to security cameras and security guards at certain eating or drinking establishments and repealing subchapter 20 of title 20 of such code, relating to licensing public dance halls, cabarets and catering establishments**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (n) of section 7-703 of the administrative code of the city of New York, as amended by local law number 8 for the year 2007, is amended to read as follows:

(n) Any building, erection or place, including one- or two-family dwellings, in which a security guard, as defined in subdivision six of section eighty nine-f of the general business law, is employed in violation of one or more of the following provisions: the alcoholic beverage control law or sections [20-360.1 or] 27-525.1, 10-177 or 28-117.4 of this code;

§ 2. Title 10 of the administrative code of the city of New York is amended by adding a new section 10-177 to read as follows:

*§ 10-177 Security measures at certain eating or drinking establishments.*

*a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Security guard. The term "security guard" means a person as defined by subdivision 6 of section 89-f of the general business law.*



*Security guard company. The term "security guard company" means a company licensed to provide security guards under contract to other entities pursuant to article 7 of the general business law.*

*b. Digital video surveillance cameras. a. The owner of an eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; and (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law, shall equip all entrances and exits used by patrons with digital video surveillance cameras that comply with the following provisions:*

*1. The video surveillance cameras shall be digital in nature and shall be of sufficient number, type, placement and location to view and record all activity in front of and within 15 feet of either side of each entrance or exit;*

*2. The video surveillance cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible images recorded at all times;*

*3. The video surveillance cameras shall record at a minimum speed of fifteen frames per second;*

*4. The video surveillance camera images shall be capable of being viewed through use of appropriate technology, including but not limited to a computer screen or closed circuit television monitor;*

*5. The video surveillance camera or the system affiliated with such camera shall be capable of transferring the recorded images to a portable form of media, including but not limited to compact disc, digital video disc, universal serial bus, secure digital card or portable hard drive;*

*6. The video surveillance cameras shall not have an audio capability;*

*7. The video surveillance cameras shall be maintained in good working condition;*

*8. The video surveillance cameras shall be in operation and recording continuously during all hours of operation and for two hours after such establishment closes;*

*9. The recordings made by video surveillance cameras installed and maintained pursuant to this section shall be indexed by dates and times and preserved for a minimum of 30 days so that they may be made available to the police department and other government agencies acting in furtherance of a criminal investigation or a civil or administrative law enforcement purpose;*

*10. All recordings made by video surveillance cameras installed and maintained pursuant to this section while in the possession of such establishment shall be stored in a locked receptacle located in a controlled access area or, if such video recordings are in digital format, in a password-protected digital storage, to which only authorized personnel have access, or shall otherwise be secured so that only authorized personnel may access such video recordings. All personnel authorized to access such video recordings must certify in writing that they have been informed on the appropriate use and retention of recordings as set forth in this section, and on the legal issues associated with video surveillance and the use and retention of recordings. Such establishment shall keep a log of all instances of requests for, access to, dissemination and use of, recorded materials made by video surveillance cameras installed and maintained pursuant to this section; and*

*11. Signage shall be posted to notify the public of the use of video surveillance equipment so that the public has sufficient warning that surveillance is in operation.*

*c. Security guards.1. An eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law; and (iii) employs or retains the services of one or more security guards or a security guard company, shall maintain and make available during all hours of operation, proof that each such security guard is registered pursuant to article 7-A of the general business law or that such security guard company is licensed pursuant to article 7 of the general business law.*

*2. Such establishment shall maintain a roster of all security guards working at any given time when such establishment is open to the public, and shall require each security guard to maintain on his or her person proof of registration at all times when on the premises.*

*3. There shall be a rebuttable presumption that a person employed or whose services are retained at such establishment whose job functions include (i) the monitoring or guarding of the entrance or exit of such nightclub to manage ingress and egress to such establishment for security purposes during the hours of operation of such establishment and/or (ii) protection of such establishment from disorderly or other unlawful*

*conduct by such patrons is a security guard, provided, however, that such rebuttable presumption shall not apply to the owner of such establishment.*

*4. Any violation of this subdivision may be reported to the state liquor authority.*

*d. Exemptions. This section does not apply to:*

*1. Premises owned, occupied and used exclusively by a membership corporation, club, society or association, provided such membership corporation, club, society or association was in actual existence prior to January 1, 1926.*

*2. Premises owned, occupied and used exclusively by a religious, charitable, eleemosynary or educational corporation or institution.*

*3. Premises licensed pursuant to subchapters one and three of chapter two of title 20.*

*e. An eating or drinking establishment that is required to comply with subdivisions b and c of this section shall make available to the police department, upon request, such establishment's certificate of occupancy or place of assembly certificate of operation.*

*f. Penalties. Any violation of this section shall be subject to a civil penalty of not more than \$1,000 for each such violation, except that the use or dissemination of recordings made by video surveillance cameras installed and maintained pursuant to subdivision b of this section in violation of the penal law or section 50 of the civil rights law shall result in a civil penalty of not less than \$5,000 nor more than \$50,000.*

§ 3. The definition of "catering establishment" in subdivision a of section 16-306.1 of the administrative code of the city of New York, as added by local law number 146 for the year 2013, is amended to read as follows:

"Catering establishment" [shall have the same meaning as set forth in section 20-359 of this code] *means any room, place or space in the city, which is used, leased or hired out for the business of serving food or beverages for a particular function, occasion or event, to which the public is not invited or admitted and wherein music or entertainment is permitted.*

§ 4. Subdivision b of section 17-502 of the administrative code of the city of New York, as amended by local law number 47 for the year 2002, is amended to read as follows:

b. "Bar" means a business establishment or any portion of a non-profit entity, which is devoted to the selling and serving of alcoholic beverages for consumption by the public, guests, patrons, or members on the premises and in which the serving of food, if served at all, is only incidental to the sale or consumption of such beverages. For the purposes of this chapter, the term "bar": (i) shall include a restaurant bar; *and* (ii) shall include any area located in a hotel or motel, which is devoted to the selling and serving of alcoholic beverages for consumption by the public, guests, patrons, or members on the premises and in which the serving of food, if at all, is only incidental to the sale or consumption of alcoholic beverages; and (iii) shall include a cabaret as defined in section 20-359 of the code which is required to be licensed by the department of consumer affairs pursuant to section 20-360 of the code and in which the serving of food, if at all, is only incidental to the sale or consumption of alcoholic beverages]. For the purposes of this subdivision, (i) service of food shall be considered incidental to the sale or consumption of alcoholic beverages if the food service generates less than forty percent of total annual gross sales and (ii) any business establishment or any portion of a non-profit entity which is devoted to the selling and serving of alcoholic beverages for consumption by the public, guests, patrons, or members on the premises that generates forty percent or more of total annual gross sales from the sale of food for on-premises consumption shall be a restaurant.

§ 5. Subchapter 20 of chapter 2 of title 20 of the administrative code of the city of New York is REPEALED.

§ 6. This local law takes effect 120 days after it becomes law.

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, October 30, 2017.

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

## Report of the Committee on Contracts

Report for Int. No. 1379-A

### **Report of the Committee on Contracts 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 prohibiting discrimination in public contracting.**

The Committee on Contracts, to which the annexed proposed amended local law was referred on November 29, 2016 (Minutes, page 3956), respectfully

#### **REPORTS:**

#### **I. INTRODUCTION**

On October 26, 2017 the Committee on Contracts, chaired by Council Member Helen Rosenthal, will vote on Proposed Introduction Number 1379-A (Proposed Int. No. 1379-A), a local law to amend the administrative code of the city of New York, in relation to prohibiting discrimination in public contracting. Proposed Int. 1379-A was previously heard by the Committee on April 21, 2017. At that hearing the Committee received testimony from the Mayor's Office of Contract Services (MOCS), advocates, and interested members of the public.

#### **II. BACKGROUND**

New York City is home to the largest and most diverse population of businesses in the United States, including a significant number owned by minorities and women. According to the U.S. Small Business Administration, there has been a 31.9% increase in minority business ownership in New York State in recent years,<sup>1</sup> and much of this has been driven by businesses in New York City. Despite the large presence of minority and women-owned businesses in the City, these businesses have traditionally struggled with participation in City contracting.

In 2005, the City Council passed Local Law 129 of 2005, which re-established the City's Minority and Women-owned Business Enterprise ("M/WBE") program.<sup>2</sup> The M/WBE program was designed to "address the impact of discrimination on the city's procurement process, and to promote the public interest in avoiding fraud and favoritism in the procurement process, increasing competition for city business, and lowering contract costs."<sup>3</sup> Local Law 129 set aspirational goals for City agencies to increase their contracting with MWBEs. These goals set target percentages for certain types of contracts<sup>4</sup>, but initially, the law only applied to contracts valued at \$1 million or less. Significantly, Local Law 129 created an M/WBE certification program, which provides greater access to information about contracting opportunities through classes, networking events, targeted solicitations, and includes an online directory for certified businesses within the City that promotes M/WBE businesses to purchasers.<sup>5</sup>

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<sup>1</sup> U.S. Small Business Administration, *Small Business Profile: New York* (2016), available at [https://www.sba.gov/sites/default/files/advocacy/New\\_York.pdf](https://www.sba.gov/sites/default/files/advocacy/New_York.pdf)

<sup>2</sup> L.L 129/2005

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

<sup>4</sup> *Id.* The participation goals for this program were established as a result of the disparity study conducted by the City that examined the availability of M/WBEs as compared to their utilization in public contracting.

<sup>5</sup> New York City Department of Small Business Services, "Minority and Women-owned Business Enterprise (M/WBE) Certification Program," <https://www1.nyc.gov/nycbusiness/description/minority-and-womenowned-business-enterprise-certification-program-mwbe> (last visited December 1, 2016)

After the program's creation, certified M/WBE firms won more than three billion dollars in City contracts by 2012.<sup>6</sup> Notwithstanding the successes of the M/WBE program under Local Law 129, amendments were made to strengthen the program. In 2013, the Council enacted, and Mayor Bloomberg signed into law, Local Law 1.<sup>7</sup> Local Law 1 made a number of significant changes to the city's M/WBE program, including: (i) removing the requirement that M/WBE goals only apply to contracts valued at one million dollars or less; (ii) the creation of "M/WBE stat," an accountability program that requires agency M/WBE officers to convene quarterly to discuss progress with reaching M/WBE goals; (iii) requiring M/WBE reports from MOCS on a quarterly basis instead of semi-annually (as was required under Local Law 129 of 2005); and (iv) overall, improving and increasing education and outreach regarding the MWBE program and city contracting.<sup>8</sup>

Despite the legal challenges the City has faced with increasing M/WBE procurement<sup>9</sup>, in partnership with the Council, the City has worked in many ways to better the procurement process to ensure its fairness and to provide resources to assist M/WBE firms. In Fiscal Year 2016 ("FY 2016") the City achieved a combined prime and subcontract M/WBE utilization rate of 14% amongst contracts subject to Local Law 1, and increase from 8% in FY15.<sup>10</sup> FY16 was the highest combined utilization under the City's M/WBE Program.<sup>11</sup> M/WBEs were awarded 13% (\$609.3 million) of prime contracts in FY16 and 31% (\$118.9 million) of subcontracts to which the program applies.<sup>12</sup>

### III. ANTI-DISCRIMINATION LAWS

Title 8 of the Administrative Code of the City of New York, also known as the New York City Human Rights Law, prohibits discrimination in many areas based on a number of protected classes.<sup>13</sup> Classes protected under the Human Rights Law include age, alienage or citizenship, color, disability, gender, gender identity, marital/partnership status, national origin, pregnancy, race, religion/creed, and sexual orientation.<sup>14</sup> The areas of which the NYC Human Rights Law protects against discrimination include employment, housing, public accommodations, retaliations, harassment, and bias-based profiling by law enforcement.<sup>15</sup>

In 2016, the Office of New York City Comptroller Scott M. Stringer conducted a review of anti-discrimination laws and found limitations in both New York State and City Human Rights Laws.<sup>16</sup> According to the Comptroller's Office, while the New York State Human Rights Law and the New York City Human Rights law protect minorities, women, and LGBTQ New Yorkers from discriminatory business practices, they do not explicitly apply to government procurement.<sup>17</sup> In response to these findings, Comptroller Stringer, State Senator Brad Hoylman, Assemblymember Rodneyse Bichotte, Council Members Ritchie Torres and Robert Cornegy, and the City Council's Black, Latino, and Asian Caucus announced the introduction of legislation to

<sup>6</sup> Office of the Mayor of the City of New York, *Mayor Bloomberg Signs Legislation to Help Strengthen Minority and Women-Owned Business Enterprise Program* (Jan. 7, 2013), available at <http://www1.nyc.gov/office-of-the-mayor/news/011-13/mayor-bloomberg-signs-legislation-help-strengthen-minority-women-owned-business-enterprise>

<sup>7</sup> L.L. 1/2013

<sup>8</sup> *Id.*

<sup>9</sup> De Blasio Administration to Seek Amendments to State Law Help Increase Contracting to Minority and Women-Owned Businesses *The Official Website of the City of New York*. 15 May 2015 available at <http://www1.nyc.gov/office-of-the-mayor/news/315-15/de-blasio-administration-seek-amendments-state-law-help-increase-contracting-minority>

<sup>10</sup> Mayor's Office of Contract Services, Agency Procurement Indicators 2016 available at <http://www1.nyc.gov/assets/mocs/downloads/pdf/IndicatorsReport2016AgencyProcurementIndicators.pdf> pg. 11

<sup>11</sup> *Id.* at 12

<sup>12</sup> *Id.* at 12-13

<sup>13</sup> See New York City Human Rights Law available at <http://www1.nyc.gov/assets/ocdv/downloads/pdf/New%20York%20City%20Human%20Rights%20Law.pdf>

<sup>14</sup> See New York City Human Rights Law available at <http://www1.nyc.gov/assets/ocdv/downloads/pdf/New%20York%20City%20Human%20Rights%20Law.pdf>

<sup>15</sup> See New York City Human Rights Law available at <http://www1.nyc.gov/assets/ocdv/downloads/pdf/New%20York%20City%20Human%20Rights%20Law.pdf>

<sup>16</sup> City Comptroller of New York "Coalition of City & State Elected Officials To Introduce Law Explicitly Banning Discrimination Against Minority, Women, and LGBTQ-Owned Businesses in Government Procurement" September 16, 2016 available at <http://comptroller.nyc.gov/newsroom/coalition-of-city-state-elected-officials-to-introduce-laws-explicitly-banning-discrimination-against-minority-women-and-lgbtq-owned-businesses-in-government-procurement/>

<sup>17</sup> *Id.*

amend both State and City laws to include sections explicitly prohibiting discrimination in government procurement.<sup>18</sup>

Proposed Int. No. 1379-A explicitly prohibits discrimination in public contracting, further extending anti-discrimination rules to protected classes of business owners.

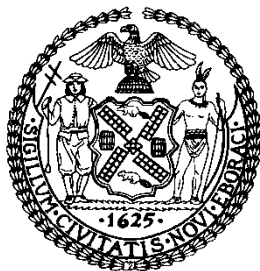
**IV. PROPOSED INT. NO. 1379-A**

Section 1 of Proposed Int. No. 1379 would make it unlawful for any city agency to deny any person a contract because of their actual or perceived race, creed, color, national origin, age, gender, disability, sexual orientation, alienage, or citizenship status.

Section 1 also directs a bidder or proposer who believes that they have been discriminated against by a city agency to protest such agency’s determination pursuant to the rules of the procurement policy board.

Section 2 of Proposed Int. No. 1379-A states that the law takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1379-A:)**



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

**PROPOSED INTRO. NO: 1379-A  
COMMITTEE: Contracts**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination in public contracting **SPONSOR(S):** Council Members Torres, Cornegy, Rosenthal, Crowley, Mendez, Johnson, Richards and Rodriguez

**SUMMARY OF LEGISLATION:** Proposed Intro No. 1379-A would explicitly prohibit discrimination in public contracting. Proposed Int. No. 1379-A would make it unlawful for a city agency to deny a contract based on actual or perceived race, creed, color, national origin, age, gender, disability, sexual orientation or alienage or citizenship status of the owners of the bidder or proposer. Additionally, the bill would enable a bidder or proposer who believes they have been discriminated against by a city agency selecting a contract to protest the agency’s determination via rules established by the Procurement Policy Board.

**EFFECTIVE DATE:** This legislation would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** 2019

**FISCAL IMPACT STATEMENT:**

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

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<sup>18</sup> *Id.*

**IMPACT ON REVENUES:** There are no anticipated effects on revenues.

**IMPACT ON EXPENDITURES:** There are no anticipated effects on expenditures.

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

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

**ESTIMATE PREPARED BY:** Andrew Wilber, Financial Analyst, Finance Division

**ESTIMATE REVIEWED BY:** John Russell, Unit Head, Finance Division  
Eric Bernstein, Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on November 29, 2016 as Intro. No. 1379 and was referred to the Committee on Contracts (Committee). The Committee held a hearing on Intro. No. 1379 on April 27, 2017 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1379-A, will be voted on by the Committee at a hearing on October 26, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1379-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** 10/25/2017.

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

**(The following is the text of Int. No. 1379-A:)**

Int. No. 1379-A

By Council Members Torres, Cornegy, Rosenthal, Crowley, Mendez, Johnson, Richards, Rodriguez, Menchaca, Kallos and Miller.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination in public contracting**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended to add a new section 6-129.1 to read as follows:

§ 6-129.1 *Nondiscrimination in public contracting.* a. For purposes of this section, the term “contract” means any agreement, purchase order or other instrument whereby the city is committed to expend or does expend funds in return for goods, services or construction.

b. It is unlawful for an agency to deny a contract because of the actual or perceived race, creed, color, national origin, age, gender, disability, sexual orientation or alienage or citizenship status of the owners of the bidder or proposer.

c. This section does not prohibit any agency from giving preference in the award of a contract to bidders or proposers owned by persons protected by the provisions of this section, when such preference is required or permitted by any law or regulation of the United States, the state of New York or the city of New York.

d. A bidder or proposer who believes that a violation of the requirements of this section has occurred may protest an agency determination pursuant to the rules of the procurement policy board.

§ 2. This local law takes effect immediately.

HELEN K. ROSENTHAL, *Chairperson*; COSTA G. CONSTANTINIDES, COREY D. JOHNSON, I. DANEEK MILLER, Committee on Contracts, October 26, 2017.

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

### **Report of the Committee on Economic Development**

Report for Int. No. 1316-A

**Report of the Committee on Economic Development in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to contracts between the department of small business services and certain entities that administer economic development benefits on behalf of the city.**

The Committee on Economic Development, to which the annexed proposed amended local law was referred on October 27, 2016 (Minutes, page 3569), respectfully

#### **REPORTS:**

##### **I. INTRODUCTION**

On October 26, 2017, the Committee on Economic Development, chaired by Council Member Dan Garodnick, will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 1316-A, Proposed Int. No. 1322-A and Proposed Int. No. 1337-A, which address transparency and reform of the New York City Economic Development Corporation (NYCEDC). The Committee previously held a hearing on these bills on December 8, 2016, and received testimony from NYCEDC, advocacy organizations and interested members of the public. More information about these bills is available with the materials for that hearing, which can be accessed online at <http://legistar.council.nyc.gov/>.

##### **II. PROPOSED INT. NO. 1316-A**

This bill would require the entity that administers economic development benefits on the City's behalf – currently NYCEDC – to submit, for each covered project receiving assistance, impact statements which would include an estimate of the fiscal impact during the fiscal year in which assistance commences, the succeeding fiscal year, and the first fiscal year in which the full fiscal impact of the project is expected to occur. The impact statement would also have to include the job creation estimates for the first fiscal year in which the full fiscal impact of the project is expected to occur.

##### **III. PROPOSED INT. NO. 1322-A**

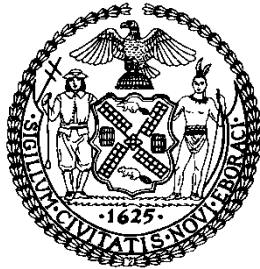
This bill would require entities that administer economic development benefits on the City's behalf – currently NYCEDC – to report on efforts made to recover financial assistance provided to projects which default on the material terms of the project agreement under which such assistance was provided.

##### **IV. PROPOSED INT. NO. 1337-A**

This bill would require NYCEDC to submit a project description and budget for covered economic development projects to the Speaker for review and comment at least 30 days before holding a public hearing

on the project or, for projects which do not require a public hearing, before the project agreement is executed. This bill also would move the requirements for the City’s contract with NYCEDC from the Charter to a new subchapter of the Administrative Code.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1316-A:)**



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

**PROPOSED INTRO. NO: 1316-A**  
**COMMITTEE: Economic Development**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to contracts between the department of small business services and certain entities that administer economic development benefits on behalf of the city

**SPONSOR(S):** Council Members Garodnick, Johnson, Rosenthal, Salamanca, Jr., Kallos, Dromm and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1316-A would require the entity that administers economic development benefits on the City’s behalf, the New York City Economic Development Corporation (EDC), to submit, for each covered project receiving assistance, impact statements which would include an estimate of the fiscal impact during the fiscal year in which assistance commences, the succeeding fiscal year, and the first fiscal year in which the full fiscal impact of the project is expected to occur. The impact statement would also have to include the job creation estimates for the first fiscal year in which the full fiscal impact of the project is expected to occur.

**EFFECTIVE DATE:** This local law would take effect on the same date as Proposed Intro. No. 1337-A, except that the commissioner of small business services may take all actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY18</b>
<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 the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because EDC would use existing resources to implement the requirements of this legislation.



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

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

**ESTIMATE PREPARED BY:** Aliya Ali, Senior Legislative Financial Analyst, Finance Division

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Rebecca Chasan, Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on October 27, 2016 as Intro. No. 1316 and referred to the Committee on Economic Development. A hearing was held by the Committee on Economic Development on December 8, 2016 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1316-A, will be voted on by the Committee on Economic Development at a hearing on October 26, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1316-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 18, 2017.

(For text of Int. Nos. 1322-A and 1337-A and their Fiscal Impact Statements, please see, respectively, the Reports of the Committee on Economic Development for Int. Nos. 1322-A and 1337-A printed in these Minutes; for text of Int. No. 1316-A, please see below)

*Accordingly, this Committee recommends the adoption of Int. Nos. 1316-A, 1322-A, and 1337-A.*

**(The following is the text of Int. No. 1316-A:)**

Int. No. 1316-A

By Council Members Garodnick, Johnson, Rosenthal, Salamanca, Kallos, Dromm and Menchaca.

**A Local Law to amend the administrative code of the city of New York, in relation to contracts between the department of small business services and certain entities that administer economic development benefits on behalf of the city**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 8 of title 22 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017 amending the New York city charter and the administrative code of the city of New York relating to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced, such corporations must submit a project description to the speaker of the council; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter relating to such reporting requirements and related recommendations, as proposed in introduction number 1337-A for the year 2016, is amended by adding a new section 22-824 to read as follows:

*§ 22-824 Requirements for a contracted entity administering economic development benefits. a. In each covered contract with a contracted entity executed on or after the effective date of this section, the*

commissioner shall require, for any project that must be reported on in the annual report required by section 22-823, that:

1. where such contracted entity administers assistance, as such assistance is described in subparagraph (b) of paragraph 1 of subdivision b of section 22-823, to a person in connection with such project, such contracted entity, no later than 30 days before the commencement of such assistance, submit to the department and the speaker of the council an impact statement including, at a minimum, an estimate of the fiscal impact of such assistance upon the revenues and expenditures of the city during (i) the fiscal year in which such assistance commences, (ii) the succeeding fiscal year, and (iii) the first fiscal year in which the full fiscal impact of the economic development project is expected to occur, and job creation estimates for the first fiscal year in which the full fiscal impact of the economic development project is expected to occur; and

b. Information provided to the department pursuant to subdivision a of this section shall constitute a public data set for purposes of chapter 5 of title 23 of the code.

§ 2. For purposes of this local law, a contracted entity shall not include the Brooklyn navy yard development corporation, or any successor entity that becomes the lessee and/or operator of block 2023, lots 1, 50 and 150 in Kings county, commonly known as the Brooklyn navy yard.

§ 3. This local law takes effect on the same day that a local law amending the New York city charter and the administrative code of the city of New York relating to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced, such corporations must submit a project description to the speaker of the council; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter relating to such reporting requirements and related recommendations, as proposed in introduction number 1337-A for the year 2016, takes effect, except that the commissioner of small business services may take all actions necessary for the implementation of this local law, including the promulgation of rules, before such date.

DANIEL R. GARODNICK, *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, DONOVAN J. RICHARDS, INEZ D. BARRON, I. DANEEK MILLER, JOSEPH C. BORELLI. Committee on Economic Development, October 26, 2017. *Other Council Members Attending: Council Member Johnson.*

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

Report for Int. No. 1322-A

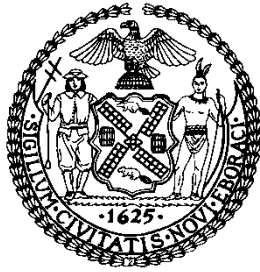
**Report of the Committee on Economic Development in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the recovery of financial assistance for economic development in cases of noncompliance with the terms of such assistance.**

The Committee on Economic Development, to which the annexed proposed amended local law was referred on October 27, 2016 (Minutes, page 3573), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Economic Development for Int. No. 1316-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 1322-A:*



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

**PROPOSED INTRO. NO: 1322-A**  
**COMMITTEE: Economic Development**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to the recovery of financial assistance for economic development in cases of noncompliance with the terms of such assistance

**SPONSOR(S):** Council Members Johnson, Garodnick, Rosenthal, Vacca, Kallos, Dromm and Menchaca

**SUMMARY OF LEGISLATION:** This legislation would require the entity that administers economic development benefits on the City’s behalf, the New York City Economic Development Corporation (EDC), to report on efforts made to recover financial assistance provided to projects which default on the material terms of the project agreement under which such assistance was provided.

**EFFECTIVE DATE:** This local law would take effect on the same day as Proposed Intro. No. 1316-A.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY18</b>
<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 the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because EDC would use existing resources to implement the requirements of this legislation.

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

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

**ESTIMATE PREPARED BY:** Aliya Ali, Senior Legislative Financial Analyst, Finance Division

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head, Finance Division  
 Nathan Toth, Deputy Director, Finance Division  
 Rebecca Chasan, Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on October 27, 2016 as Intro. No. 1322 and referred to the Committee on Economic Development. A hearing was held by the Committee on Economic Development on December 8, 2016 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1322-A, will be voted on by the Committee on Economic Development at a hearing on October 26, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1322-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 18, 2017.

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

**(The following is the text of Int. No. 1322-A:)**

Int. No. 1322-A

By Council Members Johnson, Garodnick, Rosenthal, Vacca, Kallos, Dromm and Menchaca.

**A Local Law to amend the administrative code of the city of New York, in relation to the recovery of financial assistance for economic development in cases of noncompliance with the terms of such assistance**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 22-824 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2017 amending the administrative code of the city of New York relating to contracts between the department of small business services and certain entities that administer economic development benefits on behalf of the city, as proposed in introduction number 1316-A for the year 2016, is amended by adding a new paragraph 2 to read as follows:

2. *on the first business day of every second month, such contracted entity deliver to the mayor and speaker of the council and post on the website of such contracted entity, or, if no such website is maintained, the commissioner shall post on the department's website, a report on projects for which assistance, as such assistance is described in subparagraph (b) of paragraph 1 of subdivision b of section 22-823, has been administered by such contracted entity and which are in default of one or more material terms of the project agreement under which such assistance was provided, which report shall contain: (i) descriptions of enforcement actions taken with regard to events of default as defined in such agreements, (ii) the persons against which enforcement actions have been undertaken, (iii) the number of ongoing projects outstanding, (iv) the percentage of projects with respect to which enforcement actions are being undertaken as compared against the number of ongoing projects outstanding, (v) events of default under such agreements for which no enforcement actions are currently contemplated, and (vi) the amounts recovered through enforcement actions.*

§ 2. For purposes of this local law, a contracted entity shall not include the Brooklyn navy yard development corporation, or any successor entity that becomes the lessee and/or operator of block 2023, lots 1, 50 and 150 in Kings county, commonly known as the Brooklyn navy yard.

§ 3. This local law takes effect on the same date that a local law amending the administrative code of the city of New York relating to contracts between the department of small business services and certain entities that administer economic development benefits on behalf of the city, as proposed in introduction number 1316-A for the year 2016, takes effect.

DANIEL R. GARODNICK, *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, DONOVAN J. RICHARDS, INEZ D. BARRON, I. DANEEK MILLER, JOSEPH C. BORELLI. Committee on Economic Development, October 26, 2017. *Other Council Members Attending: Council Member Johnson.*

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

## Report for Int. No. 1337-A

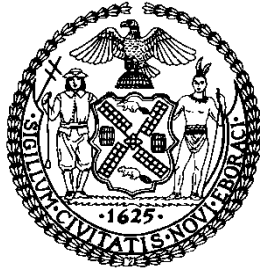
**Report of the Committee on Economic Development in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced, such corporations must submit a project description to the speaker of the council; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter relating to such reporting requirements and related recommendations.**

The Committee on Economic Development, to which the annexed proposed amended local law was referred on October 27, 2016 (Minutes, page 3586), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Economic Development for Int. No. 1316-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 1337-A:*



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

**PROPOSED INTRO. NO: 1337-A  
COMMITTEE: Economic Development**

**TITLE:** A local law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced, such corporations must submit a project description to the speaker of the council; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter relating to such reporting requirements and related recommendations

**SPONSOR(S):** Council Members Rosenthal, Garodnick, Johnson, Kallos, Dromm and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1337-A would require the entity that administers economic development benefits on the City's behalf, the New York City Economic Development Corporation (EDC), to submit a project description and budget for covered economic projects to the Speaker for review and comment at least 30 days before holding a public hearing on the project or, for projects which do not require a public hearing, before the project agreement is executed. This bill also would also move the requirements for the City's contract with EDC from the Charter to a new subchapter of the Administrative Code.

**EFFECTIVE DATE:** This local law would take effect 45 days after enactment.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY18</b>
<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 the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because EDC would use existing resources to implement the requirements of this legislation.

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

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

**ESTIMATE PREPARED BY:** Aliya Ali, Senior Legislative Financial Analyst, Finance Division

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Rebecca Chasan, Counsel, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council on October 27, 2016 as Intro. No. 1337 and referred to the Committee on Economic Development. A hearing was held by the Committee on Economic Development on December 8, 2016 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1337-A, will be voted on by the Committee on Economic Development at a hearing on October 26, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1337-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 18, 2017.

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

**(The following is the text of Int. No. 1337-A:)**

## Int. No. 1337-A

By Council Members Rosenthal, Garodnick, Johnson, Kallos, Dromm and Menchaca.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York that, before any economic development project is commenced, such corporations must submit a project description to the speaker of the council; including reporting requirements in such contracts; and repealing paragraphs b and b-1 of subdivision 1 of section 1301 of the New York city charter relating to such reporting requirements and related recommendations**

*Be it enacted by the Council as follows:*

Section 1. The heading of chapter 8 of title 22 of the administrative code of the city of New York, as added by local law number 102 for the year 2013, is amended to read as follows:

CHAPTER 8  
[REPORTING BY] ENTITIES CONTRACTED TO PROVIDE ECONOMIC DEVELOPMENT BENEFITS  
ON BEHALF OF THE CITY

§ 2. Chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new subchapter 1 to read as follows:

*SUBCHAPTER 1  
LOBBYING ACTIVITIES BY ENTITIES CONTRACTED TO PROVIDE ECONOMIC DEVELOPMENT  
BENEFITS ON BEHALF OF THE CITY*

§ 3. Sections 22-801 and 22-802 of chapter 8 of title 22 of the administrative code of the city of New York are redesignated as sections 22-801 and 22-802 of subchapter 1 of such chapter.

§ 4. Chapter 8 of title 22 of the administrative code of the city of New York is amended by adding a new subchapter 2 to read as follows:

*SUBCHAPTER 2  
CONTRACT REQUIREMENTS FOR ENTITIES CONTRACTED TO PROVIDE ECONOMIC  
DEVELOPMENT BENEFITS ON BEHALF OF THE CITY*

§ 22-821 *Definitions. As used in this subchapter:*

*Affiliate. The term "affiliate" means (i) a business entity in which more than 50 percent is owned by, or is subject to a power or right of control of, or is managed by, a person that is a party to an active project agreement, or (ii) a person that owns more than 50 percent of a business entity that is party to an active project agreement or that exercises a power or right of control of a person that is a party to an active project agreement.*

*Commissioner. The term "commissioner" means the commissioner of small business services.*

*Contracted entity. The term "contracted entity" means a local development corporation or other not-for-profit corporation, a majority of whose members are appointed by the mayor, that contracts with the city to provide or administer economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, except that such term does not include the Brooklyn navy yard development corporation or any successor entity that becomes the lessee and/or operator of block 2023, lots 1, 50 and 150 in Kings county, commonly known as the Brooklyn navy yard.*

*Covered contract. The term "covered contract" means any contract under which a contracted entity is engaged in providing or administering economic development benefits on behalf of the city.*

*Department. The term "department" means the department of small business services.*

*Project agreement. The term “project agreement” means the contract or agreement providing assistance, as such assistance is described by subparagraph (b) of paragraph 1 of subdivision b of section 22-823, to any project carried out pursuant to a covered contract.*

*§ 22-822 Public comment before project approval. In each covered contract executed on or after the effective date of this section, the commissioner shall require, for each project that is required to be included in the report required by section 22-823, that the contracted entity, unless chapter 8 of the charter or any other law requires such project to be submitted for consideration to a community board, borough board or the council before commencement, shall:*

*a. Prepare a description of such project, including an estimated project budget and an explanation of how any funding, benefits or financial assistance provided or allocated by the city for such project will be used and specifying a contact person to whom the speaker of the council may submit recommendations regarding the project within 30 days of receiving the description; and*

*b. Submit the description required by subdivision a to the speaker of the council at the following times:*

*1. In the case of a project as to which the charter or any other law requires that a public hearing be held, at least 30 days before such hearing; and*

*2. In the case of a project as to which neither the charter nor any other law requires that any public hearing be held, at least 30 days before the project agreement is executed.*

*§ 22-823 Annual report. a. Report required. In each covered contract executed on or after the effective date of this section, the commissioner shall require the contracted entity to submit each year to the mayor, the council, the city comptroller, the public advocate, the borough presidents and community planning boards a report for the prior fiscal year about projected and actual jobs created and retained in connection with projects described by this section.*

*b. Projects receiving financial assistance in excess of \$150,000. 1. (a) This subdivision applies to projects undertaken by a contracted entity for the purpose of creating or retaining jobs and in connection with which a person was provided project assistance in the form of a loan, grant or tax benefit valued in excess of \$150,000, regardless of whether such project involves the expenditure of city capital appropriations.*

*(b) For purposes of this subdivision, “assistance” to be reported includes (i) a loan, grant or tax benefit, (ii) savings due to payments in lieu of taxes, calculated as the difference between such payments and the property tax that would have been owed without an agreement to make such payments, (iii) waived mortgage recording fees, (iv) related property tax abatements, (v) sales tax abatements, (vi) energy benefits and (vii) an estimated range of costs to the city of forgone income tax revenues due to the issuance of tax exempt bonds;*

*2. Except as otherwise provided in this section, the annual report required by this section shall contain for each such project the following information for the prior fiscal year, including an indication of the sources of all data relating to numbers of jobs:*

*(a) The project’s name;*

*(b) The project’s location;*

*(c) The time period during which such project is to receive any assistance from the contracted entity;*

*(d) The type of such assistance provided, including, where applicable, the name of any program through which such assistance is provided;*

*(e) (1) For projects that involve a specified limit on cumulative assistance available over the duration of the project agreement, a statement of such limit; and*

*(2) For projects that do not involve such a specified limit, the estimated amount of assistance over the duration of such project agreement, the amount of tax exempt bonds issued during the reporting year and the range of potential costs of such bonds;*

*(f) The amount of assistance received for the project during the reporting year, the amount of such assistance received since execution of the project agreement, and the present value of future assistance estimated to be given for the duration of the project agreement;*

*(g) The total number of employees at all sites covered by the project on the date of execution of the project agreement, including the number of permanent full-time jobs, the number of permanent part-time jobs, the number of full-time equivalents, and the number of contract employees if, pursuant to the project*



agreement, contract employees may be included in determining compliance with job creation or retention requirements;

(h) (1) The number of jobs that each person receiving assistance from such contracted entity is contractually obligated to retain and create over the duration of the project agreement or, in the case of a project agreement that contains annual job retention or creation requirements, the annual job retention or creation requirement for the reporting year;

(2) The base employment level such entity agrees to retain over the duration of the project agreement;

(3) Any job creation scheduled to take place as a result of such project; and

(4) Where applicable, any job creation targets for the reporting year;

(i) For the reporting year:

(1) The total number of employees at all sites covered by the project, including the number of permanent full-time jobs, the number of permanent part-time jobs, and the number of contract jobs; and

(2) For each person that receives assistance from the contracted entity in connection with such project and employs 250 or more persons, (i) the percentage of total employees within the "exempt" and "non-exempt" categories, respectively, as those terms are defined under the United States fair labor standards act, and (ii) for employees within the "non-exempt" category, the percentage of employees earning \$25,000 per year or less, the percentage of employees earning more than \$25,000 per year but less than or equal to \$40,000 per year and the percentage of employees earning more than \$40,000 per year but less than or equal to \$50,000 per year;

(j) The estimated amount of retained or additional tax revenue derived from the project, excluding real property tax revenue other than revenue generated by property tax improvements,

(1) Cumulatively to the date that the annual report is prepared;

(2) For the reporting year, and

(3) Projected to be derived over the duration of the project agreement;

(k) A statement of whether, throughout the reporting year, each person that received assistance from the contracted entity in connection with the project offered health benefits to (i) all full-time employees of such person; (ii) all part-time employees of such person; or (iii) all full-time and part-time employees of such person at all sites covered by the project;

(l) For the reporting year, for employees at each site covered by the project, including all permanent and temporary full-time employees, permanent and temporary part-time employees, and contract employees, the number and percentage of employees earning less than a living wage, as that term is defined in section 6-134, disaggregated by job category, including industrial jobs, food service jobs, retail jobs and other jobs; except that, for projects for which assistance was received prior to July 1, 2012, the information required by this subparagraph need only be provided to the extent it can be reasonably obtained from available sources, including the city and the person to which such assistance was provided;

(m) For the reporting year, with respect to the persons receiving assistance for such project and their affiliates, the number and percentage of employees at all sites covered by the project agreement who reside in the city;

(n) A list of all commercial expansion program benefits, industrial and commercial incentive program benefits, and industrial and commercial abatement program benefits received by persons receiving assistance or their affiliates through the project agreement and relocation and employment assistance program benefits such persons and affiliates received and the estimated total value of each such benefit for the reporting year;

(o) A statement of compliance indicating whether, during the reporting year, the contracted entity has reduced, cancelled or recaptured assistance provided to a person in connection with such project, and, if so, the total amount of such reductions, cancellations or recaptures, and any penalty assessed and the reasons therefor.

c. Projects receiving financial assistance of \$150,000 or less. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs that do not meet the financial threshold in subparagraph (a) of paragraph 1 of subdivision b, such report shall include, at a minimum:

1. For such projects in aggregate, the information required by subparagraphs (g), (h), (i), (j), (l), (m) and (n) of paragraph 2 of subdivision b; and

2. The number of persons that received a loan, grant or tax benefit from such contracted entity in connection with such a project and that offered health benefits to (i) all full-time employees of such person; (ii)

all part-time employees of such person; or (iii) all full-time and part-time employees of such person employed at any project site throughout the prior fiscal reporting year.

d. Sales or leases of city-owned land. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs (i) for which a contracted entity sold or leased city-owned land to a person, and (ii) that are estimated to create or retain at least 25 jobs, regardless of whether such project involves the expenditure of city capital appropriations, the annual report shall include the following information:

1. A list of each lease that has not terminated before the reporting year commences, regardless of when such lease commenced, and for each such lease, any terms or restrictions on the use of the leased land, including the rent received for such land in the reporting year;

2. A list of each sale of city-owned land that closed within 15 years of the report, and for each such sale, any terms or restrictions on the use of the sold land, including the price for which such land was sold and any terms or restrictions on the resale of such land; except that such list need not include sales that closed before January 1, 2005.

e. Years covered. Except as provided in subdivision d, the report shall include each project from the date the project agreement is executed and any other documents applicable to such project through and including the final year that the contracted entity provides assistance for such project.

f. Job-creation projects under prior rules. 1. For projects undertaken by a contracted entity for the purpose of creating or retaining jobs and for which the contracted entity provided a loan, grant or tax or other benefit before July 1, 2005, the information required by this section need only be provided to the extent it can be reasonably derived from available sources, including the city and persons who received such assistance.

2. For projects that such contracted entity undertakes for the purpose of creating or retaining jobs and for which the project agreement was executed before June 6, 2011, the annual report need not contain information that persons were not required to report to the contracted entity at the time that the project agreement and any other documents applicable to the project were executed.

g. Submission and publication. 1. The report required by this section shall be submitted by January 31 of each year and shall bear the date that such report was submitted. Such report shall include a statement explaining any delay in its submission past the required due date.

2. Upon its submission, the report shall simultaneously be made available in electronic form on the website of the contracted entity or, if no such website is maintained, on the website of the city. The report shall simultaneously be made available in a non-proprietary format that permits automated processing on the website of the contracted entity or, if no such website is maintained, on the website of the city. Such non-proprietary database format need not include terms and restrictions on the use or resale of city-owned land.

h. Methodology study. By March 1, 2007, and by March 1 of every second year thereafter, the contracted entity, upon receipt of recommendations from the speaker of the council and other persons selected jointly by the mayor and the speaker of the council who have extensive experience and knowledge in the fields of finance, economics, and public policy analysis, shall evaluate the methodology employed for making the determinations required for the report and shall generate recommendations, where appropriate, on the methodology for evaluating projects receiving economic development subsidies. The commissioner shall present to the mayor and the speaker of the council a report containing such recommendations no later than October 1 of every year in which such evaluation is required.

§ 5. Paragraph b of subdivision 1 of section 1301 of the New York city charter is REPEALED and a new paragraph b is added to read as follows:

b. to serve as liaison for the city with local development corporations, other not-for-profit corporations and all other entities involved in economic development within the city. In furtherance of this function, the department shall include in any contract with a contracted entity, as defined by section 22-821 of the administrative code, under which such contracted entity is engaged in providing or administering economic development benefits on behalf of the city and expending city capital appropriations in connection therewith, the provisions required by subchapter 2 of chapter 8 of title 22 of the administrative code.

§ 6. Paragraph b-1 of subdivision 1 of section 1301 of the New York city charter is REPEALED.

§ 7. This local law takes effect 45 days after it becomes law.

DANIEL R. GARODNICK, *Chairperson*; VINCENT J. GENTILE, KAREN KOSLOWITZ, DONOVAN J. RICHARDS, INEZ D. BARRON, I. DANEEK MILLER, JOSEPH C. BORELLI. Committee on Economic Development, October 26, 2017. *Other Council Members Attending: Council Member Johnson.*

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 Education**

Report for Int. No. 773-B

**Report of the Committee on Education 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 requiring the department of education to provide data related to student participation in meals provided by the department in school.**

The Committee on Education, to which the annexed proposed amended local law was referred on April 28, 2015 (Minutes, page 1531), respectfully

#### **REPORTS:**

#### **INTRODUCTION**

On Monday, October 30, 2017, the Committee on Education, chaired by Council Member Daniel Dromm, voted on Int. No. 773-B. The Committee previously heard this bill on January 25, 2015. At that hearing, the Committee heard testimony from the Department of Education, parents, and advocates. On October 30, 2017, the Committee passed Int. No. 773-B by a vote of fourteen in the affirmative, zero in the negative, with zero abstentions.

#### **Proposed Int. No. 773-B - Bill Analysis**

Since its initial hearing, the bill has received several amendments. The bill has been amended to require the DOE to report the average daily number of meals served by the department for meals including: breakfast before the school day begins, breakfast after the school day begins, lunch, afterschool snacks, and afterschool supper. The bill has been amended to clarify that it includes reporting for schools that contain grades pre-Kindergarten through 12, and has been amended to clarify that the report requires the DOE to report a complete list of food items served for each meal and a list of which items are offered every day at each meal. Finally, the bill has been amended to require the DOE to provide a narrative explanation if it stops providing any of such meals to students.

Section one of Proposed Int. No. 773-B would provide the following definitions: “After school snacks” would mean a meal that consists of two food items offered during afterschool educational or enrichment activities; “after school supper” would mean a meal that consists of five food items offered during afterschool educational or enrichment activities; “breakfasts served after the bell” would mean a complete breakfast served in the classroom after the school day begins or breakfast via grab and go carts; “breakfast via grab and go carts” would mean breakfast that is provided by the department that can be picked up from the cafeteria or from a designated location; and “school” would mean a school of the city school district of the city of New York that contains any combination of grades from and including pre-kindergarten through grade 12.

Section one of the bill would require the DOE to submit to the Speaker of the Council, and post on the department’s website, an annual report starting on October 1, 2018, regarding the provision of meals by the department. The report would include the average daily number of: breakfasts served in the cafeteria by the department before the school day begins; breakfasts served after the bell; after school snacks, after school suppers;

and lunches served by the department. The report would also include the total number of schools that offer (i) a complete breakfast served in the cafeteria before the school day begins; (ii) a complete breakfast served in the classroom after the school day begins and (iii) breakfast via grab and go carts; the total number of schools that have a salad bar in their cafeteria; a complete list of the food items offered for each of the meals served by the department, including at salad bars; and a list of the food items that are offered every day for each of the meals served by the department, including at salad bars

The bill would also require the report to include the steps the Department has taken to increase participation in meals, as well as information regarding special initiatives undertaken and proposed by the department to increase student participation. The report would also compare the data required in the legislation from year to year. In addition, the report would include a narrative explanation if the department no longer provides any of the meals or salad bar options. The report would be aggregated citywide, as well as disaggregated by school, community school district, and borough.

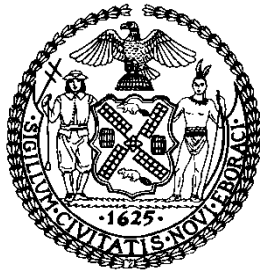
Section one of Proposed Int. 773-B would also require that none of the information reported would violate any applicable provision of federal, state or local law relating to the privacy of student information.

Section two of the bill would provide that the law would take effect immediately.

### Update

On October 30, 2017, the Committee passed Int. No. 773-B by a vote of fourteen in the affirmative, zero in the negative, with zero abstentions.

**(The following is the text of the Fiscal Impact Statement for Int. No. 773-B:)**



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

**PROPOSED INTRO. NO.: 773-B  
COMMITTEE: Education**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data related to student participation in meals provided by the department in school.

**SPONSORS:** Council Members Kallos, Levin, Cabrera, Constantinides, Eugene, Gentile, Miller, Mendez, Torres, Menchaca, Lander, Treyger, Richards, Chin and Rosenthal.

**SUMMARY OF LEGISLATION:** Proposed Intro. 773-B would require the Department of Education to provide a report to the Speaker and post on its website information related to food service programs provided by the Department. The required annual report would include the average daily number of breakfasts served before the bell, breakfasts served after the bell, and grab and go breakfasts; the total number of schools that have a salad bar; the average daily number of after school snacks served by the Department; the average daily number of after school suppers served by the Department; a list of food items offered at each meal served; a list of the food items offered every day at each meal served; and the average daily number of lunches served by the Department. Lastly, Intro. No. 773-B would require the Department to report steps taken to increase the number of students eating meals provided by the Department.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that this legislation would have no impact on expenditures.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** None

**SOURCE OF INFORMATION:** New York City Council Finance Division and New York City Department of Education.

**ESTIMATE PREPARED BY:** Elizabeth Hoffman, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head  
Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 28, 2015 as Intro. 773 and was referred to the Committee on Education. The legislation was subsequently amended after introduction and the amended legislation, 773-A, was considered by the Committee on January 25, 2016 and was laid over. The legislation was subsequently amended a second time and the second amended version, Proposed Intro. 773-B, will be voted on by the Committee on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 773-B will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 10, 2017.

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

Int. No. 773-B

By Council Members Kallos, Levin, Cabrera, Constantinides, Eugene, Gentile, Miller, Mendez, Torres, Menchaca, Lander, Treyger, Richards, Chin, Rosenthal, Dromm and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data related to student participation in meals provided by the department in school**

*Be it enacted by the Council as follows:*

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

*Chapter 13. School Meal Participation*

§ 21-975 School meal participation data. a. For the purposes of this section, the following terms have the following meanings:

*After school snacks.* The term “after school snacks” means a meal that consists of two food items offered during afterschool educational or enrichment activities.

*After school supper.* The term “after school supper” means a meal that consists of five food items offered during afterschool educational or enrichment activities.

*Breakfasts served after the bell.* The term “breakfasts served after the bell” means a complete breakfast served in the classroom after the school day begins or breakfast via grab and go carts.

*Breakfast via grab and go carts.* The term “breakfast via grab and go carts” means breakfast that is provided by the department that can be picked up from the cafeteria or from a designated location.

*School.* The term “school” means a school of the city school district of the city of New York that contains any combination of grades from and including pre-kindergarten through grade 12.

b. No later than October 1, 2018, and no later than October 1 annually thereafter, the department shall submit to the speaker of the council and post on the department’s website a report for the previous school year which shall, at minimum, include:

1. the average daily number of breakfasts served in the cafeteria by the department before the school day begins;

2. the average daily number of breakfasts served after the bell;

3. the total number of schools that offer (i) a complete breakfast served in the cafeteria before the school day begins; (ii) a complete breakfast served in the classroom after the school day begins and (iii) breakfast via grab and go carts;

4. the total number of schools that have a salad bar in their cafeteria;

5. the average daily number of after school snacks served by the department;

6. the average daily number of after school suppers served by the department;

7. a complete list of the food items offered for each of the following (i) breakfast served in the cafeteria before the school day begins; (ii) breakfast served in the classroom after the school day begins; (iii) breakfast via grab and go carts; (iv) after school snacks; (v) after school supper; (vi) salad bars and (vii) lunch;

8. a list of the food items that are offered every day for each of the following: (i) breakfast served in the cafeteria before the school day begins; (ii) breakfast served in the classroom after the school day begins; (iii) breakfast via grab and go carts; (iv) after school snacks; (v) after school supper; (vi) salad bars and (vii) lunch; and

9. the average daily number of lunches served by the department.

c. Such report shall also include the steps the department has taken to increase participation in the after school snack and after school supper programs; breakfast programs, including breakfasts served after the bell; salad bars and lunch programs, including, but not limited to, information regarding special initiatives undertaken and proposed by the department to increase student participation in such meals. Beginning with the report due on October 1, 2019, such report shall compare the data required pursuant to this section from year to year. If the department no longer provides breakfast served in the cafeteria before the school day begins, breakfast served in the classroom after the school day begins, breakfast via grab and go carts, after school snacks, after school supper or salad bars, such report shall include a narrative explanation as to why such meals are no longer provided.

d. All information required to be reported pursuant to this section shall be aggregated citywide, as well as disaggregated by school, community school district and borough.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interest of law enforcement.

§ 2. This local law takes effect immediately.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ; MARGARET S. CHIN, DEBORAH L. ROSE, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; BEN KALLOS, RAFAEL SALAMANCA, Jr.; Committee on Education, October 30, 2017. *Other Council Members Attending: Council Members Mendez, Torres and Speaker Mark-Viverito.*

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

Report for Int. No. 1565-A

**Report of the Committee on Education 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 requiring the department of education to distribute information regarding educational rights and departmental policies related to interactions with non-local law enforcement.**

The Committee on Education, to which the annexed proposed amended local law was referred on April 25, 2017, (Minutes, page 1137) respectfully

**REPORTS:**

**Introduction**

On October 30, 2017, the Committee on Education, chaired by Council Member Daniel Dromm voted on Introduction No. 1565-A, which requires the Department of Education (DOE) to provide information to students and parents on confidentiality of student records, their policies regarding requests from non-local law enforcement, other “Know Your Rights” information, and notification to parents in non-local law enforcement request to meet with a student or access student information. A hearing was previously held on this bill on April 26, 2017. At that hearing, the Committee heard testimony from the Department of Education, parents, advocates, and other members of the public. On October 30, 2017, the Committee passed Introduction No. 1565-A by a vote of fourteen in the affirmative, zero in the negative, with zero abstentions.

**Background**

The recent nationwide ramp-up in immigration enforcement has created the potential for many immigrant parents to fear to carry out daily tasks like taking their children to school or attending parent-teacher meetings. Immigrant families may feel vulnerable while on school property, but also in their homes, given that school records contain sensitive information that immigration authorities could use to target them for deportation.

The U.S. Supreme Court’s 1983 landmark decision *Plyler v. Doe* held that states cannot constitutionally deny students a free public education on account of their immigration status, or the immigration status of their parents or guardians.<sup>1</sup> The Court recognized that denying such students an education would pose significant harms to society at large.<sup>2</sup> As a result, more than 65,000 undocumented students graduate from high school in the U.S. each year.<sup>3</sup> In New York State, so long as a student meets the age and residency requirements under

<sup>1</sup> *Plyler v. Doe*, 457 U.S. 202 (1982); American Immigration Council, Public Education for Immigrant Students: Understanding Plyler v. Doe, Oct. 24, 2012, available at <https://www.americanimmigrationcouncil.org/research/plyler-v-doe-public-education-immigrant-students>.

<sup>2</sup> *Plyler*, 457 U.S. at 203.

<sup>3</sup> American Immigration Council, The DREAM Act, Jul. 13, 2010, available at <https://www.americanimmigrationcouncil.org/research/dream-act>.

state law, they have the right to attend full-time public school without tuition.<sup>4</sup> The Fiscal Policy Institute estimates that, in New York State, roughly 3,627 undocumented students graduate annually.<sup>5</sup>

Generally, and pursuant to the Family Education Rights and Privacy Act (FERPA),<sup>6</sup> schools are prohibited from disclosing personally identifiable information in a student's education records to third parties without parental consent, except in limited circumstances. Such circumstances include when disclosure is mandated by a court order or subpoena,<sup>7</sup> or when the request is made by certain enumerated parties.<sup>8</sup> Even when disclosure must be made pursuant to a court order, FERPA generally requires that schools make a reasonable effort to notify parents of such request and disclosure.<sup>9</sup> School districts may, however, disclose information designated as "directory" information to certain third parties without parental consent.<sup>10</sup> Such information is generally defined as information "that would not generally be considered harmful or an invasion of privacy."<sup>11</sup> Notably, a student's place of birth may be considered directory information.<sup>12</sup> Although parental consent is not required before disclosing directory information, FERPA requires schools to inform parents of what information is designated as "directory" information, and allow parents the opportunity to "opt out" of such disclosures.<sup>13</sup> FERPA requires school districts to inform parents of their rights under FERPA at least annually, but does not prescribe the method by which schools must provide such notification.<sup>14</sup>

### **Proposed Int. No. 1565-A – Bill Analysis**

Since its initial hearing, the bill has received several amendments. The bill has been amended to clarify that the DOE would distribute information about accessing legal resources to help parents and students understand their educational and privacy rights, and has also been amended to require the DOE to distribute information about how parents may update their child's emergency contact information. The bill has also been amended to require that the information be made available at Family Welcome Centers in addition to being distributed to each student.

Section one of Proposed Int. 1565-A would add a new chapter 15 to title 21-A of the Administrative Code, with a new section 21-977 concerning distribution of information regarding interactions with non-local law enforcement. Section one would provide the following definitions: "School" would mean a school of the city school district of the city of New York and "student" would mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school.

Section one would require DOE to annually distribute to each school, for distribution to every student of such school, in writing, using plain and simple language, either in hard copy or electronically, certain information including:

<sup>4</sup> See New York State Education Law §§ 3202(1), 3205.

<sup>5</sup> *The New York State DREAM Act: A Preliminary Estimate of Costs and Benefits*, Fiscal Policy Institute (2012), available at <http://www.fiscalpolicy.org/FPI-CostBenefitAnalysis-NYS-DREAM-Act-20120309.pdf>.

<sup>6</sup> U.S. Department of Education website, Family Education Rights and Privacy Act (FERPA), available at <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>.

<sup>7</sup> National Education Association, *Legal Issues for School Districts Related to the Education of Undocumented Children* (2009), available at <http://www.nea.org/assets/docs/HE/09undocumentedchildren.pdf>.

<sup>8</sup> New York State Education Department, Letter from Commissioner Elia and NYS Attorney General Regarding U.S. Immigration and Customs Enforcement, Feb. 27, 2017, citing 34 C.F.R. §§ 99.31(a)(3) and 99.35 (stating that disclosure may be made without consent to authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the Secretary of the U.S. Department of Education, or State and local educational authorities), <http://www.nysed.gov/common/nysed/files/oag-sed-letter-ice-2-27-17.pdf>. This guidance provides that "a request from ICE or other federal immigration officials to access student PII from education records does not appear to satisfy any of the FERPA exceptions to the general rule that a parent or eligible student must consent to disclosures to third parties." *Id.*

<sup>9</sup> U.S. Department of Education, May schools comply with a subpoena or court order for education records without the consent of the parent or eligible student?, <http://familypolicy.ed.gov/content/may-schools-comply-subpoena-or-court-order-education-records-without-consent-parent-or> (last accessed April 22, 2017).

<sup>10</sup> *Id.*

<sup>11</sup> U.S. Department of Education, Frequently Asked Questions About FERPA, <https://www2.ed.gov/policy/gen/guid/fpco/pdf/ferpafaq.pdf> (last accessed April 22, 2017).

<sup>12</sup> U.S. Department of Education, Family Education Rights and Privacy Act (FERPA), <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn> (last accessed April 21, 2017).

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

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



- information related to available legal resources that may help students and parents to understand their educational rights and departmental policies related to interactions with non-local law enforcement. At a minimum, such materials would be required to include legal resources concerning the following: (i) educational rights that may be guaranteed regardless of citizenship or immigration status; (ii) the circumstances in which personally identifiable information from a student's education record may be disclosed to third parties; (iii) circumstances under which students may have the right to refuse to speak with non-local law enforcement; (iv) the application process for obtaining nonimmigrant status, and for the self-petition process pursuant to the violence against women act; and (v) immigration-related legal assistance, including, but not limited to, contact information for the mayor's office of immigrant affairs;
- information regarding the DOE's protocol and policies related to interactions with non-local law enforcement, including information about the number of staff who have received training on such protocol and policies; and
- information regarding the department's protocol and policies if a parent of a student is detained or otherwise separated pursuant to actions by non-local law enforcement, and information regarding how a parent of a student may update relevant emergency contact information.

Section one would require that this information also be made available in Family Welcome Centers and on the DOE's website.

Section one would also require the DOE to, before releasing any directory information pursuant to FERPA, distribute information to any student whose information may be released (or the student's parent) what information may be released, to whom it may be released, and how to opt out of such information being released.

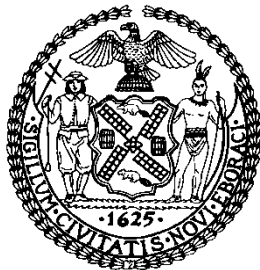
Finally, section one would require the DOE to notify a student's parent if non-local law enforcement makes a request for access to the student or the student's records, unless giving notice is prohibited by law, and along with such notice, provide the student and the student's parent with information on available legal resources related to the request.

Section two would provide that the law would take effect 60 days after it becomes law.

### **Update**

On October 30, 2017, the Committee passed Introduction No. 1565-A by a vote of fourteen in the affirmative, zero in the negative, with zero abstentions.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1565-A:)**



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

**PROPOSED INTRO. NO.: 1565-A**

**COMMITTEE: Education**

**TITLE:** A local law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information regarding educational rights and departmental policies related to interactions with non-local law enforcement

**SPONSORS:** Council Members Dromm, Menchaca, Ferreras-Copeland, The Speaker (Council Member Mark-Viverito), Levin, Kallos, Chin, Gibson and Cohen

**SUMMARY OF LEGISLATION:** Proposed Intro. 1565-A would require the Department of Education (DOE) to annually distribute information related to students' and their parents' educational rights and DOE policies and procedures related to interactions with non-local law enforcement. The Department would be required to distribute the following to all students: 1) information about available legal resources that may help parents and students understand their legal rights and options regarding their educational rights, privacy rights, and circumstances under which students may have the right to refuse to speak with non-local law enforcement, immigration legal assistance; 2) information regarding DOE's protocols and policies regarding interactions with non-local law enforcement, including the number of staff trained on such protocols and policies; and 3) information regarding the Department's protocol and policies in the event that a parent of a student is detained or separated from the student by non-local law enforcement, including how a parent can update emergency contact information.

Additionally, the bill would require DOE to notify any student whose directory information may be released pursuant to the Family Educational Rights and Privacy Act what information may be released, and to whom, and how students or their parents may opt out of such release of information. The bill would also require DOE to, upon any request by non-local law enforcement for access to a student or student's records, notify the student's parent of such request (unless notification is prohibited by law) and provide information to the student and student's parent about available resources for seeking legal assistance.

**EFFECTIVE DATE:** This local law would take effect 60 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that this legislation would have no impact on expenditures.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** None

**SOURCE OF INFORMATION:** New York City Council Finance Division and New York City Department of Education.

**ESTIMATE PREPARED BY:** Elizabeth Hoffman, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head  
Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 25, 2017 as Intro. 1565 and was referred to the Committee on Education (Committee). The legislation was considered by the Committee at a hearing held jointly with the Committees on Immigration and Public Safety on April 26, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended legislation, 1565-A, will be voted on by the Committee on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1565-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 25, 2017.

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

**(The following is the text of Int. No. 1565-A:)**

Int. No. 1565-A

By Council Members Dromm, Menchaca, Ferreras-Copeland, The Speaker (Council Member Mark-Viverito), Levin, Kallos, Chin, Gibson, Cohen and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to distribute information regarding educational rights and departmental policies related to interactions with non-local law enforcement**

*Be it enacted by the Council as follows:*

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 15 to read as follows:

*Chapter 15. Distribution of Information Regarding Interactions with Non-Local Law Enforcement*

*§ 21-977 Distribution of information regarding educational rights and departmental policies related to interactions with non-local law enforcement. a. For the purposes of this section, the following terms have the following meanings:*

*School. The term "school" means a school of the city school district of the city of New York.*

*Student. The term "student" means any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school.*

*b. The department shall annually distribute to each school, for distribution to every student of such school, the following information in writing, in hard copy or electronically if distribution of other similar documents occurs electronically, using plain and simple language:*

*1. information about available legal resources that may help parents and students to understand their legal rights and options with respect to: (i) educational rights that may be guaranteed regardless of citizenship or immigration status; (ii) the circumstances in which personally identifiable information from a student's education record, the disclosure of which is subject to the family educational rights and privacy act, may be disclosed to third parties, including, but not limited to, non-local law enforcement; (iii) circumstances under which students may have the right to refuse to speak with non-local law enforcement; (iv) the application process for obtaining nonimmigrant status under subparagraphs (T) and (U) of paragraph (15) of subsection (a) of section 1101 of title 8 of the United States code, or successor statutes, and for the self-petition process pursuant to the violence against women act; and (v) resources available to assist students and their families seeking immigration-related legal assistance, including, but not limited to, contact information for the mayor's office of immigrant affairs;*

*2. information regarding the department's protocol and policies with regard to interactions with non-local law enforcement, including the number of staff who received training administered by the department relating to such protocol and policies; and*

*3. information regarding the department's protocol and policies in the event that a parent of a student is detained or otherwise separated pursuant to actions by non-local law enforcement, and information regarding how a parent of a student may update relevant emergency contact information.*

*c. Prior to the release of any directory information pursuant to the family educational rights and privacy act, the department shall distribute, in writing, in hard copy or electronically if distribution of other similar documents occurs electronically, to any student whose information may be released, or to such student's parent, (i) the categories of information the department has designated as directory information; (ii) how a*

parent of a student under age 18, or a student age 18 or over, may notify the department that such directory information pertaining to his or her child, or to himself or herself, may not be disclosed; and (iii) the circumstances in which such directory information may be disclosed to third parties, including, but not limited to, non-local law enforcement, and the third parties to whom it would be disclosed, if a parent of a student under age 18, or a student age 18 or over, does not opt out of disclosure of such information pertaining to such student.

d. The department shall ensure that the information required to be distributed by subdivision b is additionally available in each school, each office where the department provides enrollment assistance and on the department's website.

e. Upon any request by non-local law enforcement for access to a student or a student's records, the department shall notify such student's parent of such request unless such notification is prohibited by law or by a judicial order or lawfully issued subpoena, and shall provide such student and parent with information on available resources for seeking legal assistance in response to such request.

§ 2. This local law takes effect 60 days after it becomes law.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ; MARGARET S. CHIN, DEBORAH L. ROSE, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; BEN KALLOS, RAFAEL SALAMANCA, Jr.; Committee on Education, October 30, 2017. *Other Council Members Attending: Council Members Mendez, Torres and Speaker Mark-Viverito.*

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

Report for Int. No. 1638-A

**Report of the Committee on Education 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 requiring the department of education to report on gay-straight or gender-sexuality alliance organizations.**

The Committee on Education, to which the annexed proposed amended local law was referred on June 6, 2017 (Minutes, page 1876), respectfully

#### **REPORTS:**

##### **Introduction**

On October 30, 2017, the Committee on Education, chaired by Council Member Daniel Dromm, voted on Int. No. 1638-A, co-sponsored by Council Member Ben Kallos and Council Member Dromm, and Res. No. 1442-A, also co-sponsored by Council Members Dromm and Kallos, which relate to support for lesbian, gay, bisexual, queer or questioning and transgender and gender non-conforming (LGBQ-TGNC) students through gay-straight, or gender-sexuality, alliances (GSAs). A hearing was previously held on both pieces of legislation on September 14, 2017. At that hearing, the Committee heard testimony from representatives from the Department of Education (DOE), elected officials, advocates, educators, students, and other members of the public. On October 30, 2017, the Committee passed Int. No. 1638-A and Res. No. 1442-A by a vote of thirteen in the affirmative, one in the negative, with zero abstentions.

##### **Background**

The Committee has held two oversight hearings this session related to support for LGBTQ students, which focused on issues of bullying, harassment, and discrimination of LGBTQ students in New York City public

schools.<sup>1</sup> Those hearings highlighted that LGBTQ students are more likely to be victims of bullying and harassment and are more likely to be discriminated against by school policies and practices, and that this often has a negative impact on their educational outcomes. But, research has shown that school-based supports such as clubs that address LGBTQ issues, can have significant benefits for LGBTQ students, making them feel safe, valued, and supported in the school environment.<sup>2</sup> According to a recent study, LGBTQ teenagers at a school with a GSA were “52 percent less likely to hear homophobic remarks; 36 percent less likely to fear for [their] personal safety; and 30 percent less likely to be victimized.”<sup>3</sup> The Committee’s hearing on September 14, 2017 focused on supporting LGBTQ students through GSAs.<sup>4</sup>

### **Analysis of Proposed Int. No. 1638-A**

Since its initial hearing, the bill has received several amendments, including clarifying the type of training to be reported on, and removing certain reporting requirements, for example, the number of meetings held by a GSA.

Section one of Proposed Int. No. 1638-A would create a new chapter 14 in Title 21-A, entitled “Reporting on GSAs,” and would provide the following definitions: “GSA” would mean student-led groups that focus on issues of sexual and gender orientation, including but not limited to, combating homophobia and transphobia. These groups are commonly referred to as gay-straight alliances or gender-sexuality alliances; “LGBTQGNC training” would mean training or professional development provided by the department that relates to supporting lesbian, gay, bisexual, transgender, queer or questioning and gender non-conforming students; “School” would mean a school of the city school district of the city of New York that contains any combination of grades from grade six up to and including grade twelve.

Section one of the bill would require the DOE to annually submit to the Council and post online a report regarding the status of GSAs at each school, including (i) whether each school has a GSA; (ii) the number of teachers at such school that have received LGBTQGNC training; (iii) whether the GSA has a mission statement or other stated goals, and if so, a description of such mission statement or stated goals; and (ix) a description of the LGBTQGNC training offered to teachers and administrators including whether any such training includes training related to GSAs.

Section one of the legislation would also state that no information required to be reported would be reported in manner that would violate any applicable federal, state or local law regarding the privacy of student information or that would conflict with law enforcement or student safety.

Section two of the bill would provide that the local law would take effect immediately.

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<sup>1</sup> See Committee Report of the New York City Council Committee on Education, “Oversight: Bullying, Harassment and Discrimination in NYC Schools – Protecting LGBT and Other Vulnerable Students,” October 19, 2016, *available at* <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2843008&GUID=63487AE5-3F0C-4194-98FB-46CF341D7DA8&Options=&Search=>; Committee Report of the New York City Council Committee on Education, “The Treatment of LGBT Students, Family and Staff in the NYC Public School System,” February 25, 2014, *available at* <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1662181&GUID=54A1D095-F04B-400D-B65E-F303BF107A2F&Options=Advanced&Search=>.

<sup>2</sup> See GLSEN Research Brief, “Gay Straight Alliances: Creating Safer Schools for LGBT Students and Their Allies,” *available at* <https://www.glsen.org/sites/default/files/Gay-Straight%20Alliances.pdf> (last visited Aug. 23, 2017).

<sup>3</sup> Jeff Nesbit, *Gay Straight Alliances Make Schools Safer, Study Finds* U.S. NEWS, Aug. 4, 2016 *available at* <https://www.usnews.com/news/articles/2016-08-04/gay-straight-alliances-in-schools-pay-off-for-all-students-study-finds> (last visited Aug. 23, 2017) (citing Robert A. Marx and Heather Hensman Kettrey, *Gay-Straight Alliances are Associated with Lower Levels of School-Based Victimization of LGBTQ+ Youth: A Systematic Review and Meta-analysis*, JOURNAL OF YOUTH AND ADOLESCENCE, 46, 366–371 (2016).

<sup>4</sup> See Committee Report of the New York City Council Committee on Education, “Int. No. 1638 and Res. No. 1442,” Sept. 14, 2017, *available at* <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3066691&GUID=5CAC089B-E4B9-4793-9D0B-5CDB47731BEF&Options=ID|Text|&Search=1638>.

**Analysis of Proposed Res. No. 1442-A**

Since its initial hearing, the resolution has received some amendments, including amending the resolution to call on the DOE to provide curricular and other supports to protect LGBTQ-TGNC students and ensure that school staff and students are informed that students have the ability to create a GSA.

Proposed Res. No. 1442-A would state that research shows that LGBTQ students are particularly vulnerable to bullying and harassment on the basis of sexual orientation or gender identity/expression. The resolution would note that the biennial National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN) documents the unique challenges LGBTQ students face and identifies interventions that can improve school climate. The resolution would also highlight that according to GLSEN's 2015 National School Climate Survey, the vast majority of LGBTQ students in New York State, as many as 87 percent, regularly heard anti-LGBT remarks from other students and 19 percent also regularly heard school staff make homophobic remarks. The resolution would additionally note that responses to GLSEN's survey show that 65 percent of LGBTQ students in New York State were verbally harassed due to sexual orientation and 60 percent due to gender expression, 29 percent were physically harassed due to sexual orientation and 23 percent due to gender expression, and 13 percent were physically assaulted due to sexual orientation and 9 percent due to gender expression. The resolution would further state that GLSEN's research reports that 51 percent of New York State students who had been harassed or assaulted in school never reported it to a staff person, and only 33 percent of the students who did report the incident said school staff intervened effectively.

The resolution would acknowledge that the high incidence of verbal and physical harassment and victimization experienced by LGBTQ students creates a hostile school climate that can affect their academic success and mental health. The resolution would further state that according to GLSEN's research, LGBTQ students who experienced higher levels of victimization because of their sexual orientation were more than three times as likely to have missed school in the past month, had lower grade point averages, had lower self-esteem and higher levels of depression than students who were less often harassed.

The resolution would also indicate that findings from the 2015 National School Climate Survey demonstrate that students attending schools with LGBTQ-related resources and supports report more positive school experiences, including lower victimization and absenteeism and higher academic achievement. The resolution would note that one of the LGBTQ-related supports cited as essential - a comprehensive anti-bullying/harassment policy - has already been adopted by the New York City Department of Education, and that that policy, articulated in Chancellor's Regulation A-832, states that "it is the policy of the New York City Department of Education to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying committed by students against other students and free from discrimination committed by students against other students on account of actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, disability, or weight."

The resolution would further recognize that school-based LGBTQ-related supports such as an LGBT-inclusive curriculum relate to a safer and more inclusive school climate, and that an additional support cited as critical by GLSEN is a Gay-Straight Alliance, also known as a Gender-Sexuality Alliance (GSA). The resolution would state that according to the organization GSA Network, a GSA is "a student-run club, typically in a high school or middle school, which provides a safe place for students to meet, support each other, talk about issues related to sexual orientation and gender identity and expression, and work to end homophobia and transphobia."

The resolution would acknowledge that in June 2011, the United States Department of Education issued a "Dear Colleagues" letter highlighting the importance of GSAs in combatting bullying and harassment of LGBTQ students and promoting safer schools, as well as outlining the responsibilities of schools in protecting students' rights to convene GSAs on school grounds and providing equal access to school resources. The resolution would state that the USDOE letter specified that students' rights to convene GSAs and have equal access to school resources are protected under the Equal Access Act enacted by Congress in 1984. The resolution would further note that according to GLSEN's research, LGBTQ students who had a GSA in their school experienced lower levels of victimization related to their sexual orientation and gender expression, reported a greater number of supportive school staff and more accepting peers, and felt more connected to their school community than students without a GSA. The resolution would further note that some LGBTQ students in DOE schools have reported encountering barriers to starting GSAs, such as finding a faculty advisor, which

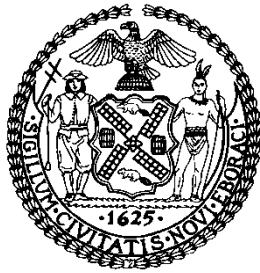
the DOE should address. The resolution would also state that the DOE should support other student- or faculty-initiated efforts that encourage the implementation of Chancellor's Regulation A-832. The resolution would also state that GSAs are an essential component to maintaining "a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying" for LGBTQ students.

Finally, the resolution would declare that the Council of the City of New York calls upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.

### Update

On October 30, 2017, the Committee passed Int. No. 1638-A and Res. No. 1442-A by a vote of thirteen in the affirmative, one in the negative, with zero abstentions.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1638-A:)**



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

**PROPOSED INTRO. NO.:** 1638-A  
**COMMITTEE:** Education

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**TITLE:** A local law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on gay-straight or gender-sexuality alliance organizations

**SPONSORS:** Council Members Kallos, Dromm, Cohen, Rosenthal, Gentile, Rodriguez, Menchaca and Reynoso

**SUMMARY OF LEGISLATION:** Proposed Intro. 1638-A would require the Department of Education to report annually to the Council (with the first report due June 1, 2019), and post online, information regarding student-led gay-straight alliances or gender-sexuality alliances (GSA) at each middle and high school. The report would include whether a school has a GSA, the number of teachers and administrators at each school (including the principal) who have received lesbian, gay, bisexual, transgender, queer or questioning and gender non-conforming (LGBTQGNC) training, and a description of the training offered to teachers and administrators, including whether any such training includes training related to GSAs.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY17</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that this legislation would have no impact on expenditures.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** None

**SOURCE OF INFORMATION:** New York City Council Finance Division and New York City Department of Education.

**ESTIMATE PREPARED BY:** Elizabeth Hoffman, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Dohini Sompura, Unit Head  
Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on June 6, 2017 as Intro. 1638 and was referred to the Committee on Education (Committee). The legislation was considered by the Committee at a hearing on September 14, 2017, and was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1638-A, will be voted on by the Committee on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1638-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 25, 2017.

**(For text of Res. No. 442-A, please see the Report of the Committee on Education for Res. No. 442-A printed in the voice-vote Resolutions section of these Minutes)**

*Accordingly, this Committee recommends the adoption of Int. No. 1638-A and Res No. 442-A.*

**(The following is the text of Int. No. 1638-A:)**

Int. No. 1638-A

By Council Members Kallos, Dromm, Cohen, Rosenthal, Gentile, Rodriguez, Menchaca, Reynoso, Chin, Rose, Eugene and Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report on gay-straight or gender-sexuality alliance organizations**

*Be it enacted by the Council as follows:*



Section 1. The administrative code of the city of New York is amended by adding a new chapter 14 to title 21-A to read as follows:

*Chapter 14. Reporting on GSAs*

§ 21-976 *Reporting on GSAs. a. For the purposes of this chapter, the following terms have the following meanings:*

*GSA. The term "GSA" means student-led groups that focus on issues of sexual and gender orientation, including but not limited to, combating homophobia and transphobia. These groups are commonly referred to as gay-straight alliances or gender-sexuality alliances.*

*LGBTQGNC training. The term "LGBTQGNC training" means training or professional development provided by the department that relates to supporting lesbian, gay, bisexual, transgender, queer or questioning and gender non-conforming students.*

*School. The term "school" means a school of the city school district of the city of New York that contains any combination of grades from grade six up to and including grade twelve.*

*b. No later than June 1, 2019, and annually thereafter on or before June 1, the department shall submit to the council and post online a report for the current academic year regarding the status of GSAs at each school. The report shall contain the following information for each school:*

- 1. Whether such school has a GSA;*
- 2. The number of teachers at such school that have received LGBTQGNC training;*
- 3. The number of administrators, including the principal, at such school that have received LGBTQGNC training; and*
- 4. A narrative description of the LGBTQGNC training offered to teachers and administrators, including whether any such training includes training related to GSAs.*

*c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would conflict with the interests of law enforcement or the safety of students.*

§ 2. This local law takes effect immediately.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ; MARGARET S. CHIN, DEBORAH L. ROSE, INEZ D. BARRON, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; BEN KALLOS, RAFAEL SALAMANCA, Jr.; Committee on Education, October 30, 2017. *Other Council Members Attending: Council Members Mendez, Torres and Speaker Mark-Viverito.*

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 Environmental Protection**

Report for Int. No. 1630-A

**Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law in relation to promoting an increase in solar energy use by city employees.**

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on June 6, 2017 (Minutes, page 1856), respectfully

**REPORTS:**

## **I. INTRODUCTION**

On October 30, 2017, the Committee on Environmental Protection, chaired by Council Member Costa Constantinides, will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 1630-A and Proposed Int. No. 1639-A, which promotes an increase of solar energy use by city employees and business improvement districts, and Proposed Int. No. 1644-A, which proposes the creation of an office of alternative energy. The Committee previously held a hearing on these bills on June 27, 2017, and received testimony from the Mayor's Office of Sustainability, advocacy organizations and interested members of the public. More information about these bills is available with the materials for that hearing, which can be accessed online at <http://legistar.council.nyc.gov/>.

## **II. PROPOSED INT. NO. 1630-A**

This bill would require the city to submit a plan to encourage city employees to voluntarily increase the use of solar energy the plan will include strategies to facilitate bulk purchase and installation of solar energy systems city employees strategies to facilitate subscription by city employees to electricity produced by community shared solar energy systems and the plan that the cooperation and assistance from the City University of New York. The designated agency would also report to the Mayor and the Council on the implementation of the plan.

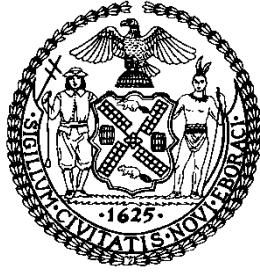
## **III. PROPOSED INT. NO. 1639-A**

This bill would require the city to submit a plan to encourage the voluntary increase of solar energy use within business improvement districts or encouraging business improvement districts (BIDs). The plan calls for the development of strategies to facilitate bulk purchase and installation of solar energy systems within such districts and strategies to facilitate participation within such districts and community shared solar energy systems either as a system host or system subscriber in preparing the plan the designated office should seek cooperation from the City University of New York in addition to any other persons the designated agency deems appropriate. The designated agency would also report to the Mayor and the Council on the implementation of the plan.

## **IV. PROPOSED INT. NO. 1644-A**

This bill would create an Office of Alternative Energy. The office shall be established within the Building Department and establish a program to assist the technical review of applications to provide guidance to applicants in connection with alternative energy projects to provide technical support for advancing alternative energy legislation and to receive and respond to comments on the program. In addition the bill calls for reporting by the head of the office of alternative energy to the commissioner respecting the most commonly received comments questions and complaints a description of actions undertaken to coordinate with other agencies and recommendations for expanding the definition of alternative energy project . The office of alternative energy is required to maintain a website and post contact information on the website indicating any person including a statement indicating the any person may conduct such office if such person has a question or complaint.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1630-A:)**



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

**PROPOSED INTRO. NO. 1630-A**

**COMMITTEE: ENVIRONMENTAL PROTECTION**

**TITLE:** A Local Law in relation to promoting an increase in solar energy use by city employees

**SPONSORS:** Council Members Cumbo, Constantinides, Rosenthal, Gentile, Kallos, Cohen and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1630-A would require the city, through an office or agency designated by the mayor, to develop a plan for encouraging voluntary solar energy use by employees of the City of New York. The plan would include strategies to both facilitate both bulk purchase/installation of solar energy systems by city employees and employee subscriptions to community-shared solar systems. In preparing the plan, the designated agency would be required to seek cooperation and assistance from the City University of New York (CUNY). The plan would be delivered to the Speaker of the Council, and posted online, no later than one year following the effective date of the local law.

**Effective Date:** This local law takes effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FISCAL YEAR 2019

**FISCAL IMPACT STATEMENT:**

	Effective FY18	FY Succeeding Effective FY18	Full Fiscal Impact FY19
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** There would be not impact on revenues from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures from the enactment of this legislation as the designated agency, as well as CUNY, would use existing resources to implement the provisions of this legislation.

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

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

**ESTIMATE PREPARED BY:** Jonathan K. Seltzer, Legislative Financial Analyst

**ESTIMATED REVIEWED BY:** Eric Bernstein, Counsel, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Crielhien Francisco, Unit Head, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1630 on June 6, 2017 and referred to the Committee on Environmental Protection (Committee). The Committee considered the legislation at a hearing on June 27, 2017 and the legislation was laid over. The legislation was subsequently

amended and the amended legislation, Proposed Intro. No. 1630-A, will be considered by the Committee on October 30, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1630-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 26, 2017.

**(For text of Int. Nos. 1639-A and 1644-A and their Fiscal Impact Statements, please see, respectively, the Reports of the Committee on Environmental Protection for Int. Nos. 1639-A and 1644-A printed in these Minutes; for text of Int. No. 1630-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 1630-A, 1639-A, and 1644-A.*

**(The following is the text of Int. No. 1630-A:)**

Int. No. 1630-A

By Council Members Cumbo, Constantinides, Rosenthal, Gentile, Kallos, Cohen and Menchaca.

**A Local Law in relation to promoting an increase in solar energy use by city employees**

*Be it enacted by the Council as follows:*

Section 1. a. No later than one year after the effective date of this local law, an office or agency designated by the mayor pursuant to subdivision c of this section shall electronically submit to the mayor and the speaker of the council, and make publicly available online, a plan to encourage city employees to voluntarily increase their use of solar energy. The plan shall include, but need not be limited to, the following:

1. Strategies to facilitate bulk purchase and installation of solar energy systems by city employees; and
2. Strategies to facilitate subscription by city employees to electricity produced by community shared solar energy systems.

b. In preparing the plan required by subdivision a of this section, such office or agency shall seek cooperation and assistance from the city university of New York, in addition to any other persons such office or agency deems appropriate.

c. The mayor shall, in writing, designate one or more offices or agencies to administer the provisions of this local law and may, from time to time at the mayor's discretion, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.

§ 2. This local law takes effect immediately.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, RORY I. LANCMAN, ERIC A. ULRICH; Committee on Environmental Protection, October 30, 2017. *Other Council Members Attending: Council Member Espinal.*

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

## Report for Int. No. 1639-A

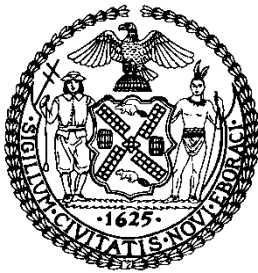
**Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law in relation to promoting an increase in solar energy use within business improvements districts.**

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on June 6, 2017 (Minutes, page 1877), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 1630-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 1639-A:*



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

LATONIA MCKINNEY, DIRECTOR

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO. 1639-A**

**COMMITTEE: ENVIRONMENTAL PROTECTION**

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**TITLE:** A Local Law in relation to promoting an increase in solar energy use within business improvements districts

**SPONSORS:** Council Members Koo, Cohen, Constantinides, Rosenthal, Gentile, Kallos and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1639-A would require the city, led by an office or agency designated by the mayor, to develop a plan for encouraging the voluntary increase of solar energy use in business improvement districts (BIDs). The plan would include strategies for facilitating both the purchasing/installation of solar energy systems and the participation with community shared solar energy systems within such district. In preparing the plan, the city would be required to seek cooperation and assistance from the City University of New York (CUNY). The plan would be delivered to the Speaker of the Council and posted online no later one year after the effective date of the local law.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** There will be no increase in expenditures resulting from the enactment of this legislation as the designated agency, as well as CUNY, would use existing resources to implement the provisions of this legislation.

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

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

**ESTIMATE PREPARED BY:** Jonathan K. Seltzer, Financial Analyst

**ESTIMATE REVIEWED BY:** Eric Bernstein, Counsel, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Crielhien Francisco, Unit Head, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1639 on June 6, 2017 and referred to the was Committee on Environmental Protection (Committee). The Committee considered the legislation at a hearing on June 27, 2017 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1639-A will be considered by the Committee on October 30, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1639-A will be submitted to the full Council for a vote.

**DATE PREPARED:** October 24, 2017.

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

**(The following is the text of Int. No. 1639-A:)**

Int. No. 1639-A

By Council Members Koo, Cohen, Constantinides, Rosenthal, Gentile, Kallos and Menchaca.

**A Local Law in relation to promoting an increase in solar energy use within business improvements districts**

*Be it enacted by the Council as follows:*

Section 1. a. No later than one year after the effective date of this local law, an office or agency designated by the mayor pursuant to subdivision c of this section shall electronically submit to the mayor and the speaker

of the council, and make publicly available online, a plan to encourage the voluntary increase of solar energy use within business improvement districts established pursuant to chapter 4 of title 25 of the administrative code of the city of New York. The plan shall include, but need not be limited to, the following:

1. Strategies to facilitate bulk purchase and installation of solar energy systems within such districts; and
2. Strategies to facilitate participation within such districts in community shared solar energy systems, either as a system host or system subscriber.

b. In preparing the plan required by subdivision a of this section, such office or agency shall seek cooperation and assistance from the city university of New York, in addition to any other persons such office or agency deems appropriate.

c. The mayor shall, in writing, designate one or more offices or agencies to administer the provisions of this local law and may, from time to time at the mayor's discretion, change such designation. Within 10 days after such designation or change thereof, a copy of such designation or change thereof shall be published on the website of each such office or agency, and shall be electronically submitted to the speaker of the council.

§ 2. This local law takes effect immediately.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, RORY I. LANCMAN, ERIC A. ULRICH; Committee on Environmental Protection, October 30, 2017. *Other Council Members Attending: Council Member Espinal.*

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

Report for Int. No. 1644-A

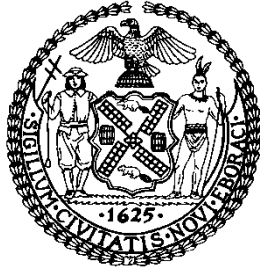
**Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to creating an office of alternative energy.**

The Committee on Environmental Protection to which the annexed proposed amended local law was referred on June 6, 2017 (Minutes, page 1884), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 1630-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 1644-A:*



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

**PROPOSED INTRO. NO. 1644-A**

**COMMITTEE: ENVIRONMENTAL PROTECTION**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to creating an office of alternative energy

**SPONSORS:** Council Members Richards, Salamanca, Cohen, Constantinides, Rosenthal, Gentile, Kallos and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1644-A would create an Office of Alternative Energy (Office). The Office would be responsible for establishing a program to assist with the streamline review of alternative energy projects and coordinating with other agencies to ensure that policies are in place encouraging the installation and maintenance of alternative energy projects, among other responsibilities. The bill would additionally require that the head of the Office submit an annual report to the Commissioner of the Department of Buildings and other relevant agency heads containing descriptions of common questions and comments received, actions undertaken to facilitate inter-agency coordination, and recommendations. Furthermore, no later than three months after the end of each fiscal year, the Office would be required to report to the Mayor and Council on the actions taken by any agency as a result of any comment, question, complaint or recommendation from or forwarded by the Office. Finally, the bill would require that the Office maintain a website and the contact information for the Office and a statement indicating that persons may contact the Office with comments, questions, or complaints.

**EFFECTIVE DATE:** This local law would take effect one-year after it becomes law, except that the Commissioner of the Department of Buildings (DOB) may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$432,778	\$432,778
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** Although this legislation contemplates the imposition of civil penalties, the Council assumes compliance with legislation and therefore estimates that there would be no impact on revenues resulting from the enactment of this legislation.

**IMPACT ON EXPENDITURES:** Personal services (PS) expenditures as a result of implementing the requirements of this legislation are projected to be \$402,788 in Fiscal 2019 and in the outyears, while other than personal



services (OTPS) expenditures are expected to be approximately \$32,400 in Fiscal 2019 and in the outyears for supplies, materials and office services.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** GENERAL FUND

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

**ESTIMATE PREPARED BY:** Jonathan K. Seltzer, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Eric Bernstein, Counsel, Finance division  
Nathan Toth, Deputy Director, Finance Division  
Crilhien Francisco, Unit Head, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1644 on June 6, 2017 and referred to the Committee on Environmental Protection (Committee). The Committee considered the legislation at a hearing on June 27, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1644-A will be considered by the Committee on October 30, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1644-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 27, 2017.

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

**(The following is the text of Int. No. 1644-A:)**

Int. No. 1644-A

By Council Members Richards, Salamanca, Cohen, Constantinides, Rosenthal, Gentile, Kallos and Menchaca.

**A Local Law to amend the administrative code of the city of New York, in relation to creating an office of alternative energy**

*Be it enacted by the Council as follows:*

Section 1. Section 28-103.27 of the administrative code of the city of New York, as added by local law number 188 for the year 2017, is renumbered as section 28-103.30.

§ 2. Article 103 of chapter 1 of title 28 of the New York city administrative code is amended by adding a new section 28-103.31 to read as follows:

**§ 28-103.31 Office of alternative energy.** *There is hereby established within the department an office of alternative energy.*

**§ 28-103.31.1 Definition.** *As used in this section, the term “alternative energy project” means construction work on a building, as such term is defined in section 28-101.5 of the administrative code, that will result in such building having at least 50 kilowatts of alternative energy capacity installed onsite from:*

1. *A qualified energy resource, as such term is defined in section 45 of title 26 of the United States code; or*

2. *A source that is determined to be renewable by the commissioner or the head of another agency designated by the mayor.*

**§ 28-103.31.2 Duties of the office of alternative energy.** *The duties of the office of alternative energy include, but need not be limited to:*

1. *Establishing a program to (i) assist with the technical review and approval of applications and other documents submitted to the department in connection with alternative energy projects, (ii) provide guidance to applicants in connection with such projects, (iii) support technical research for advancing energy legislation and policy within the city and (iv) receive and respond to comments, questions and complaints with respect to such program;*
2. *Coordinating with the office of long-term planning and sustainability, fire department, department of small business services, department of housing preservation and development, and other relevant agencies to ensure that policies are in place to encourage the installation and maintenance of alternative energy projects, and seeking cooperation and assistance from the city university of New York with respect to such policies; and*
3. *Making recommendations to the commissioner and the heads of other agencies with respect to streamlining the process for obtaining the necessary approvals to install and maintain alternative energy projects.*

**§ 28-103.31.3 Reporting.** *The head of the office of the alternative energy shall submit an annual report to the commissioner and to the head of any other relevant agency providing (i) a description of the most commonly received comments, questions and complaints received with respect to such office, (ii) a description of actions undertaken by such office to coordinate with other agencies and the results of such coordination, (iii) recommendations made pursuant to section 28-103.31.2 and (iv) recommendations with respect to expanding the definition of alternative energy project. By no later than three months after the end of each fiscal year, such office shall submit a report to the mayor and the speaker of the city council that includes a summary of the actions taken by any agency as a result of any comment, question, complaint or recommendation from or forwarded by such office.*

**§ 28-103.31.4 Posting of information.** *The office of alternative energy shall maintain a website and shall post on such website the contact information for such office and a statement indicating that any person may contact such office if such person has a comment, question or complaint with respect to such office.*

§ 3. This local law takes effect one year after it becomes law, except that the commissioner of buildings may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such effective date.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, RORY I. LANCMAN, ERIC A. ULRICH; Committee on Environmental Protection, October 30, 2017. *Other Council Members Attending: Council Member Espinal.*

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 Finance

Report for Int. No. 1176-A

### Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring budget documents to be provided in certain formats.

The Committee on Finance, to which the annexed proposed amended local law was referred on May 5, 2016 (Minutes, page 1316), respectfully

#### REPORTS:

On October 31, 2017, the New York City Council Committee on Finance (Committee), chaired by Council Member Julissa Ferreras-Copeland, will hold a hearing to vote on Proposed Intro. No. 1176-A, sponsored by Council Member Ben Kallos, *A Local Law to amend the New York city charter, in relation to requiring budget documents to be provided in certain formats.*

The Committee held its first hearing on the legislation on June 12, 2017. Representatives from the Administration were invited to testify, and the Committee heard testimony from members of the public in support of the legislation. After the hearing and subsequent negotiations with the Administration, the legislation was amended to remove outdated technological requirements from the Charter and to address operational concerns.

Currently, the New York City Mayor's Office of Management and Budget (OMB) publishes budget-related documents in portable document format (PDF) on its website, <http://www1.nyc.gov/site/omb/index.page>. Additionally, several budget documents are available on the City's Open Data Portal, <https://opendata.cityofnewyork.us>. Proposed Intro. No. 1176-A would codify that the data contained in the budget documents also be made available in a machine-readable format, as well as outline other requirements to allow budget data to be more transparent and user-friendly.

#### *Publication of New York City's Budget*

Traditionally, OMB would make budget related documentation available to the Council and the public in PDF format. Such formatting often made it difficult to analyze the extensive data associated with the City budget. Therefore, the Council's Fiscal Year 2017 Preliminary Budget response, released in April 2016, called upon OMB to publish Excel files of its documents, including supporting schedules, departmental estimates, and other relevant documents.<sup>1</sup>

Following this request, OMB worked with the Council to ensure that budget data would be available on the City's Open Data Portal, established by the Council pursuant to the City's open data law (Local Law 11) in 2012.<sup>2</sup> The Council and the Administration officially announced in May 2016 that searchable data would be available on the Portal during the Fiscal 2017 Executive Budget hearings.<sup>3</sup> As a result of the data's inclusion on the Portal, developers can access APIs supplied by the City, and individuals have the ability to download the available data in seven formats: CSV, CSV for Excel, JavaScript Object Notation (JSON), Resource Description Framework (RDF), Rich Site Summary (RSS), TSV for Excel, and XML.

As of October 2017, the Open Data Portal features sixteen datasets published by OMB. These are: Expense Budget; Expense Budget (City Funds); Expense (All Funds); Capital Commitments (All Funds); Capital Commitments (City Funds); Revenue, Revenue Budget & Financial Plan; Capital Commitments-Executive Budget; Additional Revenue; Expense Budget Funding-All Source; Full-Time and Full-Time Equivalent Staffing Levels; Expense Financial Plan-Executive Budget; Expense Financial Plan-Adopted &

<sup>1</sup> Council of the City of New York, *The New York City Council's Response to the Mayor's FY 2017 Preliminary Budget and FY 2016 Preliminary Mayor's Management Report* 37 (April 4, 2016), available at <http://nycouncillabs.wpengine.com/budget/wp-content/uploads/sites/54/2016/05/FY17-Preliminary-Budget-Response.pdf> (last accessed October 27, 2017)

<sup>2</sup> L.L. 11/2012

<sup>3</sup> City of New York, Office of the Mayor, "Mayor and City Council Launch Searchable Open Budget for New York City" (May 11, 2016), <http://www1.nyc.gov/office-of-the-mayor/news/449-16/mayor-city-council-launch-searchable-open-budget-new-york-city> (last accessed October 27, 2017)

Preliminary Budgets; Capital Commitments-Preliminary and Adopted Budgets; Expense Financial Plan-Quarter 1; and the Revenue Budget & Financial Plan-Quarter 1.<sup>4</sup>

**Proposed Intro. 1176-A**

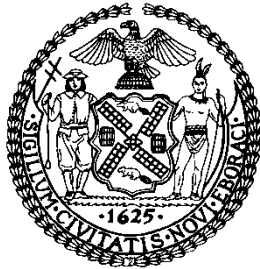
Section one of Proposed Intro. 1176-A would amend §236 of the New York City Charter (Charter) by removing the requirement that OMB submit the Preliminary Budget to the Council on floppy disks or CD Roms in a readable ascii format or readable Lotus or Excel spread sheet format. Instead, OMB would have to submit the Preliminary Budget in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk.

Section two of Proposed Intr. 1176-A would amend §249(a) of the Charter by removing the requirement that OMB submit the Executive Budget to the Council on floppy disks or CD Roms in a readable ascii format or readable Lotus or Excel spread sheet format. Instead, OMB would have to submit the Executive Budget in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk.

Section three of Proposed Intro. No. 1176-A would amend the Charter by adding a new section 258.1, titled “Documents to be made available in certain formats.” Section 258.1 would require OMB, within ten days of posting a budget document on its website, to post the data contained in such document on its website and on the Open Data Portal in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk, such as formats that are consistent with the standards established by the Treasury Secretary and Director of the federal OMB pursuant to Section 4 of the Digital Accountability and Transparency Act of 2014.<sup>5</sup>

Section four of Proposed Intro. No. 1176-A would establish that the local law takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1176-A:)**



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

**PROPOSED INTRO. NO. 1176-A**

**COMMITTEE: FINANCE**

**TITLE:** A Local Law to amend the New York city charter, in relation to requiring budget documents to be provided in certain formats

**SPONSORS:** By Council Members Kallos, Ferreras-Copeland, Chin, Vacca, Cohen and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Int. No. 1176-A would require that the Office of Management and Budget (OMB), at the time the Preliminary and Executive Budgets are submitted to the Council, provide the Council with both human- and machine-readable versions of the documents. In addition, for all other budget documents containing data, as defined by the Open Data Law, that OMB posts on its website, the legislation would require that within 10 days of posting OMB must also post machine-readable versions of the documents on their website and on the Open Data Portal.

<sup>4</sup> NYC OpenData, [https://data.cityofnewyork.us/browse?Dataset-Information\\_Agency=Mayor%27s+Office+of+Management+%26+Budget+%28OMB%29&provenance=official](https://data.cityofnewyork.us/browse?Dataset-Information_Agency=Mayor%27s+Office+of+Management+%26+Budget+%28OMB%29&provenance=official) (last accessed October 27, 2017)

<sup>5</sup> See U.S. Government Publishing Office, “Digital Accountability and Transparency Act of 2014,” Public Law 113-101 (May 9, 2014), available at <https://www.congress.gov/113/plaws/publ101/PLAW-113publ101.pdf>

**Effective Date:** This local law would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the Administration would use existing resources to implement the provisions of the legislation.

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

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

**ESTIMATE PREPARED BY:** Jonathan K. Seltzer, Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Eric Bernstein, Counsel, Finance Division  
Cirilhien Francisco, Unit Head, Finance Division  
Nathan Toth, Deputy Director, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1176 on May 5, 2016 and was referred to the Committee on Finance (Committee). The Committee considered the legislation at a hearing on June 12, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 1176-A, will be considered by the Committee on October 31, 2017. Upon a successful vote by the Committee, Proposed Intro. No. 1176-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 30, 2017.

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

**(The following is the text of Int. No. 1176-A:)**

Int. No. 1176-A

By Council Member Kallos, Ferreras-Copeland, Chin, Vacca, Cohen and Menchaca.

**A Local Law to amend the New York city charter, in relation to requiring budget documents to be provided in certain formats**

*Be it enacted by the Council as follows:*

Section 1. Section 236 of the New York city charter, as amended by local law number 25 for the year 1998, is amended to read as follows:

Submission of the preliminary budget. Not later than the sixteenth day of January, the mayor shall submit to the council and publish a preliminary budget for the ensuing fiscal year. Copies of such budget shall be provided to the council, borough presidents, each community board and borough board, the city planning commission, and the department of city planning. [Beginning in calendar year 1999 and every calendar year thereafter, a] A copy of such preliminary budget shall also be provided to the council not later than the sixteenth day of January [on floppy disks having dimensions of three and one-half inches or on CD Roms. Such floppy disks or CD Roms shall be in a readable ascii format or readable Lotus or Excel spread sheet format] *in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk* or any other format mutually agreed upon between the mayor and the council.

§2. Subdivision a of section 249 of the New York city charter, as amended by local law number 25 for the year 1998, is amended to read as follows:

a. Not later than the twenty-sixth day of April, the mayor shall submit to the council (1) a proposed executive budget for the ensuing fiscal year, and (2) a budget message, both of which, along with any accompanying reports and schedules, shall be printed forthwith. [Beginning in calendar year 1998 and every calendar year thereafter, c] Copies of such proposed executive budget, budget message and any accompanying reports and schedules shall also be provided to the council not later than the twenty-sixth day of April [on floppy disks having dimensions of three and one-half inches or on CD Roms. Such floppy disks or CD Roms shall be in a readable ascii format or readable Lotus or Excel spread sheet format] *in both a human-readable format or spreadsheet and in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk* or any other format mutually agreed upon between the mayor and the council.

§3. The New York city charter is amended by adding a new section 258.1 to read as follows:

*§258.1. Documents to be made available in certain formats. The office of management and budget shall, no later than ten days following the time it posts on its website any budget document, including, but not limited to, such documents as are required by chapters six, nine or ten of this charter or the financial emergency act for the city of New York, post data, as such term is defined in subdivision b of section 23-501, contained in such documents on its website and on the single web portal created pursuant to section 23-502 in a non-proprietary format or spreadsheet that permits automated processing and renders such data capable of being downloaded in bulk, such as those formats that are consistent with the standards established by the secretary of the treasury and the director of the office of management and budget pursuant to section 4 of the digital accountability and transparency act of 2014, as enacted by public law 113-101.*

§4. This local law takes effect immediately.

JAMES G. VAN BRAMER, *Acting Chairperson*; YDANIS A. RODRIGUEZ, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 31, 2017. *Other Council Members Attending: Council Members Kallos and Vacca.*

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

Report for Int. No. 1698

**Report of the Committee on Finance in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in eleven business improvement districts.**

The Committee on Finance, to which the annexed proposed local law was referred on September 7, 2017, (Minutes, page 3149) respectfully

**REPORTS:**

On October 31, 2017, the Committee on Finance (Committee), chaired by Council Member Julissa Ferreras-Copeland, will hold a second hearing on Introduction (Int.) Number (No.) 1698, *A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in eleven business improvement districts*, sponsored by Council Members Ferreras-Copeland and Annabel Palma (by request of the Mayor). These increases, which have been requested by the Business Improvement Districts (BIDs) and approved by the respective District Management Associations, would result in a higher assessment on all properties currently subject to the BIDs' assessments as a result of the increase in the assessment rate.

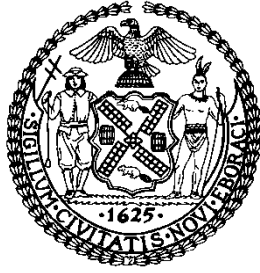
On September 27, 2017, the Committee adopted Resolution 1639 that set October 17, 2017 as the date to consider the local law (Int. No. 1698) that would increase the annual expenditures of the eleven BIDs as of July 1, 2017. In accordance with this resolution, the Committee held a first hearing on this legislation on October 17, 2017, at which time it heard testimony from the New York City Department of Small Businesses Services (SBS).

Pursuant to §§25-410(b) and 25-416 of the Administrative Code, a BID may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID or improvements, services, maintenance, and operation) by means of the adoption of a local law amending the BID's district plan. Such a local law may be adopted by the City Council after a determination that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in §25-412 of the Administrative Code will not be exceeded. Notice of the public hearing to consider such a local law must be published in at least one newspaper having general circulation in the district specifying the time when, and the place where, the hearing will be held and stating the increase proposed in the maximum amount to be expended annually.

The following BIDs have requested increases to their budgets, as indicated below:

BID Name	Current Authorized Assessment Cap	Proposed Authorized Assessment Cap	\$ Increase Request	CM District (s)	Increase Justification
			% Increase	Supporting Councilmember	
34th Street	\$10,885,000	\$12,640,000	\$1,755,000.00	3	Assessment increase will expand programming to new plaza; expand horticulture maintenance to seasonal displays; and repair, replace, and maintain aging street furniture and capital improvements. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			16.12%	Corey Johnson	
82nd Street	\$224,450	\$254,450	\$30,000.00	21 , 25	Assessment increase will enhance marketing efforts and maintenance of new streetscape improvements. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			13.37%	Julissa Ferreras-Copeland, Daniel Dromm	
Church Avenue	\$188,500	\$203,000	\$14,500.00	40	Assessment increase will add an overnight graffiti-removal program to existing sanitation services. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			7.69%	Mathieu Eugene	
Downtown-Lower Manhattan	\$15,900,000	\$20,400,000	\$4,500,000.00	1	Assessment increase will expand core programming: sanitation, security, marketing, horticulture, and capital improvements as the continued increase in workers, residents, and visitors have stretched thin core programs. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			28.30%	Margaret Chin	
DUMBO	\$835,000	\$1,250,000	\$415,000.00	33	Assessment increase will expand sanitation program and hire additional workers; provide business support to merchants and increase street plantings to counter planned street construction externalities; and offset foregone plaza revenue during planned street construction. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			49.70%	Stephen Levin	
East Mid-Manhattan	\$2,200,000	\$3,500,000	\$1,300,000.00	4	Assessment increase will expand successful community special events; repair, replace, and maintain aging street furniture; improve seasonal marketing efforts; introduce sidewalk planter program; and expand existing homeless outreach services. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			59.09%	Daniel Garodnick	
Flatbush Avenue	\$314,520	\$386,000	\$71,480.00	40	Assessment increase will enhance marketing efforts with new banners; improve seasonal marketing efforts; and enhance graffiti removal program. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			22.73%	Mathieu Eugene	
Fordham Road	\$670,000	\$1,010,000	\$340,000.00	14, 15	Assessment increase will activate and maintain the recently-expanded Fordham Plaza; install security cameras and increase foot patrol on Fordham Plaza; increase staff capacity to enhance marketing efforts; and launch a business retention and attraction campaign. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			50.75%	Fernando Cabrera, Ritchie Torres	
Kings Highway	\$290,000	\$400,000	\$110,000.00	44, 48	Assessment increase will expand sanitation services to six days of service and add services to combat graffiti and illegal bill posting; rebrand district marketing campaign; and improve seasonal marketing efforts. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			37.93%	David Greenfield, Chaim Deutsch	
Soho-Broadway	\$550,000	\$900,000	\$350,000.00	1	Assessment increase will expand community development and planning programs by hiring full-time staff to manage communications, events, public space activation and planning research. Additionally, funds will pay for rented office space, which was previously donated. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			63.64%	Margaret Chin	
Times Square	\$12,638,972	\$14,347,293	\$1,708,321.00	4	Assessment increase will fund capital improvements at Duffy Square; repair, replace, and maintain aging street furniture; and restore plaza programming to prior funding levels temporarily reduced to cover increased contract costs to other programs. A portion of this increase will be used to sustain current levels of programs and services impacted by rising contract costs associated with the increase in minimum wage.
			13.52%	Daniel Garodnick	





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

**INTRO. NO.: 1698**

**COMMITTEE: Finance**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to in relation to authorizing an increase in the amount to be expended annually in eleven business improvement districts

**SPONSORS:** Council Members Ferreras-Copeland and Palma (by request of the Mayor)

**SUMMARY OF LEGISLATION:** The proposed local law amends the Administrative Code of the city of New York to increase the budget amounts of eleven Business Improvement Districts (“BIDs”). The budgets are funded by special assessments on properties within the BID and pay for additional services beyond those which the City provides. The special assessments are collected with the City’s property tax collection system and passed through to the BIDs.

**EFFECTIVE DATE:** This local law would take effect immediately and would be retroactive to and deemed to have been in full effect as of July 1, 2017.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal Year 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues (+)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures (-)</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**IMPACT ON REVENUES AND EXPENDITURES:** There will be no net impact on revenues or expenditures resulting from the enactment of this legislation. The BID assessments are charges separate from the City’s property tax levy and thus do not impact the General Fund. The assessments are levied on the businesses located in the impacted BIDs. The BIDs’ budgets for Fiscal 2017 will increase from the Fiscal 2016 amounts (see below) as a result of this legislation.

<b>BID Name</b>	<b>Authorized Assessment</b>	<b>Increase Request</b>	<b>Requested Assessment</b>
<b>34<sup>th</sup> Street</b>	<b>\$10,885,000</b>	<b>\$1,755,000</b>	<b>\$12,640,000</b>
<b>82<sup>nd</sup> Street</b>	<b>\$224,450</b>	<b>\$30,000</b>	<b>\$254,450</b>
<b>Church Avenue</b>	<b>\$188,500</b>	<b>\$14,500</b>	<b>\$203,000</b>
<b>Downtown – Lower Manhattan</b>	<b>\$15,900,000</b>	<b>\$4,500,000</b>	<b>\$20,400,000</b>
<b>Dumbo</b>	<b>\$835,000</b>	<b>\$415,000</b>	<b>\$1,250,000</b>
<b>East Mid-Manhattan</b>	<b>\$2,200,000</b>	<b>\$1,300,000</b>	<b>\$3,500,000</b>
<b>Flatbush Avenue</b>	<b>\$314,520</b>	<b>\$71,480</b>	<b>\$386,000</b>
<b>Fordham Road</b>	<b>\$670,000</b>	<b>\$340,000</b>	<b>\$1,010,000</b>
<b>Kings Highway</b>	<b>\$290,000</b>	<b>\$110,000</b>	<b>\$400,000</b>
<b>Soho - Broadway</b>	<b>\$550,000</b>	<b>\$350,000</b>	<b>\$900,000</b>
<b>Times Square</b>	<b>\$12,638,972</b>	<b>\$1,708,321</b>	<b>\$14,347,293</b>

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** BID special assessments

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Department of Small Business Services

**ESTIMATE PREPARED BY:** Aliya Ali, Senior Finance Analyst, Finance Division

**ESTIMATE REVIEWED BY:** Crilhien Francisco, Unit Head, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Rebecca Chasan, Counsel, Finance Division  
Eric Bernstein, Counsel, Finance Division

**LEGISLATIVE HISTORY:** Intro. No. 1698 was introduced to the full Council on September 7, 2017 and referred to Committee on Finance. On October 17, 2017, the Committee on Finance held a hearing to consider the bill and the bill was laid over. On October 31, 2017, the Committee on Finance will vote on Intro. No. 1698, and upon a successful vote by the Committee, the legislation will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 25, 2017.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int. No. 1698:)**

Int. No. 1698

By Councils Member Ferreras-Copeland and Palma (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in eleven business improvement districts**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 25-422.1 of the administrative code of the city of New York, as amended by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Times Square business improvement district beginning on July 1, [2013] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [twelve million six hundred thirty-eight thousand nine hundred seventy-two dollars (\$12,638,972)] *fourteen million three hundred forty-seven thousand two hundred ninety-three dollars (\$14,347,293)*.

§ 2. Subdivision a of section 25-423.1 of the administrative code of the city of New York, as amended by local law number 3 for the year 2015, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the 34th Street business improvement district beginning on July 1, [2014] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [ten million eight hundred eighty-five thousand dollars (\$10,885,000)] *twelve million six hundred forty thousand dollars (\$12,640,000)*.

§ 3. Subdivision a of section 25-426 of the administrative code of the city of New York, as amended by local law number 60 for the year 2008, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the 82nd Street business improvement district beginning on July 1, [2008] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred twenty-four thousand four hundred fifty dollars (\$224,450)] *two hundred fifty-four thousand four hundred fifty (\$254,450)*.

§ 4. Subdivision a of section 25-435 of the administrative code of the city of New York, as amended by local law number 10 for the year 2004, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Flatbush Avenue business improvement district beginning on July 1, [2003] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred fourteen thousand five hundred twenty (\$314,520)] *three hundred eighty-six thousand dollars (\$386,000)*.

§ 5. Subdivision a of section 25-442.2 of the administrative code of the city of New York, as amended by local law number 3 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the

Downtown-Lower Manhattan business improvement district beginning on July 1, [2012] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [fifteen million nine hundred thousand dollars (\$15,900,000)] *twenty million four hundred thousand dollars (\$20,400,000)*.

§ 6. Subdivision a of section 25-445 of the administrative code of the city of New York, as amended by local law number 3 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Kings Highway business improvement district beginning on July 1, [2012] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred ninety thousand dollars (\$290,000)] *four hundred thousand dollars (\$400,000)*.

§ 7. Section 25-447.2 of the administrative code of the city of New York, as added by local law number 135 for the year 2016, is amended by adding a section number and section heading to read as follows:

§ 25-447.2 *Madison Avenue business improvement district.*

§ 8. Subdivision a of section 25-451 of the administrative code of the city of New York, as amended by local law number 60 for the year 2008, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Church Avenue business improvement district beginning on July 1, [2008] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [one hundred eighty-eight thousand five hundred dollars (\$188,500)] *two hundred three thousand dollars (\$203,000)*.

§ 9. Subdivision a of section 25-458.1 of the administrative code of the city of New York, as amended by local law number 61 for the year 2007, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the East Mid-Manhattan business improvement district beginning on July 1, [2007] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two million two hundred thousand dollars (\$2,200,000)] *three million five hundred thousand dollars (\$3,500,000)*.

§ 10. Subdivision a of section 25-464.1 of the administrative code of the city of New York, as amended by local law number 68 for the year 2014, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Fordham Road business improvement district beginning on July 1, [2014] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [six hundred seventy thousand dollars (\$670,000)] *one million ten thousand dollars (\$1,010,000)*.

§ 11. Subdivision a of section 25-469.1 of the administrative code of the city of New York, as amended by local law number 25 for the year 2017, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the DUMBO business improvement district beginning on July 1, [2016] 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [eight hundred thirty-five thousand dollars (\$835,000)] *one million two hundred fifty thousand dollars (\$1,250,000)*.

§ 12. Section 25-472.1 of the administrative code of the city of New York, as added by local law number 135 for the year 2016, is amended by adding a section number and section heading to read as follows:

§ 25-472.1 *Court-Livingston-Schermerhorn business improvement district.*

§ 13. Section 25-481.1 of the administrative code of the city of New York, as added by local law number 135 for the year 2016, is amended by adding a section number and section heading to read as follows:

§ 25-481.1 *Atlantic Avenue business improvement district.*

§ 14. The administrative code of the city of New York is amended by adding a new section 25-482.1 to read as follows:

§ 25-482.1 *SoHo business improvement district.*

*a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the SoHo business improvement district beginning on July 1, 2017, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of nine hundred thousand dollars (\$900,000).*

*b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the SoHo business improvement district plan.*

§ 15. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2017.

JAMES G. VAN BRAMER, *Acting Chairperson*; YDANIS A. RODRIGUEZ, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 31, 2017. *Other Council Members Attending: Council Members Kallos and Vacca.*

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. 1699

**Report of the Committee on Finance in favor of 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 October 31, 2017, respectfully

**REPORTS:**

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 6, 2017, the Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”). On June 14, 2016, the Council adopted the expense budget for fiscal year 2017 with various programs and initiatives (the “Fiscal 2017 Expense Budget”). On June 26, 2015, the Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”).

Analysis. This Resolution, dated October 31, 2017, approves the new designation and the changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding

for certain initiatives in accordance with the Fiscal 2017 Expense Budget, approves the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving aging and youth discretionary funding in accordance with the Fiscal 2017 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, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging and youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 1; sets forth the change in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 2; sets forth the new designation and change in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2018 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2018 Expense Budget, as described in Charts 4-36; sets forth the new designation and the changes in the designation of certain organizations receiving local, youth, and aging discretionary funding pursuant to the Fiscal 2017 Expense Budget, as described in Charts 37-40; sets forth the changes in the designation of certain organizations receiving funding pursuant to a local discretionary funding in the Fiscal 2016 Expense Budget, as described in Chart 41; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2017 Expense Budget, as described in Charts 42 and 43; amends the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2018 Expense Budget, as described in Chart 44; amends the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2017 Expense Budget, as described in Chart 45; and sets forth the designation of certain organizations receiving funding pursuant to the Beating Hearts Initiative in accordance with the Fiscal 2018 Expense Budget as described in Chart 46.

Specifically, Chart 1 sets forth the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification, while others reflect designations already approved in the budget modification (MN-1) dated September 27, 2017.

Chart 2 sets forth the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2018 Expense Budget.

Chart 3 sets forth the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget.

Chart 4 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 5 sets forth the change in the designation of a certain organization receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification. Some of these changes will be effectuated upon a budget modification, while others reflect designations already approved by the Council in the budget modification (MN-1) dated September 27, 2017.

Chart 6 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 7 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 8 sets forth a correction in the agency receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 9 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 10 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 12 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 13 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 16 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 17 sets forth the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 18 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Community Housing Prevention Strategies Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 19 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 20 sets forth a change in the unit of appropriation within the budget of the Department of Cultural Affairs receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 21 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 22 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancements Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 23 sets forth the change in the designation of a certain organization receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 24 sets forth the removal of funds from the agency (the Administration for Children's Services) administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 25 sets forth the new designation of a certain organization receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 26 sets forth the new designation of certain organizations receiving funding pursuant to the Immigrant Resource Center Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes reflect designations already approved by the Council in the budget modification (MN-1) dated September 27, 2017.

Chart 27 sets forth the new designation of certain organizations receiving funding pursuant to the Art as a Catalyst for Change Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 28 sets forth the new designation of a certain organization receiving funding pursuant to the CUNY Research Institutes initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 29 sets forth a change in the designation of the agency administering funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget. This change reflects a designation already approved by the Council in the budget modification (MN-1) dated September 27, 2017.

Chart 30 sets forth the new designation of a certain organization receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 31 sets forth the new designation of a certain organization receiving funding pursuant to the Civic Education in New York City Schools Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.



Chart 32 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 33 sets forth a new designation of a certain organization receiving funding pursuant to the After-School Enrichment Initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 34 sets forth the new designation of a certain organization receiving funding pursuant to the Job Training and Placement Initiative in accordance with the Fiscal 2018 Expense Budget. This change will be effectuated upon a budget modification.

Chart 35 sets forth the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities initiative in accordance with the Fiscal 2018 Expense Budget.

Chart 36 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 37 sets forth the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 38 sets forth the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 39 sets forth the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget.

Chart 40 sets forth a change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 41 sets forth a change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 42 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to Cultural After-School Adventure (CASA) initiative in accordance with the Fiscal 2017 Expense Budget.

Chart 43 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 2017 Expense Budget.

Chart 44 amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget.

Chart 45 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget.

Chart 46 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018.

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 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets. Such Resolution would take effect as of the date of adoption.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1699:)**

Preconsidered Res. No. 1699

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

By Council Member Ferreras-Copeland

**Whereas**, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

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

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 3; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

**Resolved,** That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 5; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; and be it further

**Resolved,** That the City Council approves the correction in the designation of the agency receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 8; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the unit of appropriation within the budget of the Department of Cultural Affairs receiving funding pursuant to the Autism Awareness initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancements initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the removal of funds from the agency administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Resource Center initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 26; 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 Art as a Catalyst for Change initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the CUNY Research Institutes initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the change in the designation of the agency administering funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 29; 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 Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 30; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Civic Education in New York City Schools initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 31; 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 Naturally Occurring Retirement Communities (NORCs) initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 32; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Job Training and Placement Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 36; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 37; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 38; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 39; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 40; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 41; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 42; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 43; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 44; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 45; and be it further

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 46.

**ATTACHMENT:**

CHART 1: Local Initiatives - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	Montefiore Medical Center	13-1740114	DOHMH	(\$50,000.00)	816	120			
Speaker	Yeshiva University	13-1624225	DOHMH	\$50,000.00	816	120			
Van Bramer	Catholic Charities Neighborhood Services, Inc.	11-2047151	DFTA	(\$35,500.00)	125	003			
Van Bramer	St. Sebastian Roman Catholic Church	11-2295424	DFTA	\$35,500.00	125	003			*
Van Bramer	New York City Housing Authority **	13-6400434	NYCHA	(\$3,265.00)	098	002			
Van Bramer	New York City Housing Authority **	13-6400434	NYCHA	(\$3,265.00)	098	002			
Van Bramer	New York City Housing Authority **	13-6400434	NYCHA	(\$3,270.00)	098	002			
Van Bramer	Hunter's Point Civic Association **	45-4435514	DYCD	\$3,500.00	260	005			*
Van Bramer	Department of Youth and Community Development **	13-6400434	DYCD	\$6,300.00	260	005			
CD28	Department of Sanitation ***	13-6400434	DSNY	(\$15,000.00)	827	109			
CD28	Department of Sanitation ***	13-6400434	DSNY	\$15,000.00	827	102			
Dromm	Department of Sanitation ***	13-6400434	DSNY	(\$15,000.00)	827	109			
Dromm	Department of Sanitation ***	13-6400434	DSNY	\$15,000.00	827	102			
Dromm	Department of Sanitation ***	13-6400434	DSNY	(\$15,000.00)	827	109			
Dromm	Department of Sanitation ***	13-6400434	DSNY	\$15,000.00	827	102			
Gentile	Department of Sanitation ***	13-6400434	DSNY	(\$7,500.00)	827	109			
Gentile	Department of Sanitation ***	13-6400434	DSNY	\$7,500.00	827	102			
Koslowitz	Department of Sanitation ***	13-6400434	DSNY	(\$6,000.00)	827	109			
Koslowitz	Department of Sanitation ***	13-6400434	DSNY	\$6,000.00	827	102			
Deutsch	DSNY Strongest Football, Inc. ***	45-4700701	DSNY	(\$1,500.00)	827	109			
Deutsch	DSNY Strongest Football, Inc. ***	45-4700701	DSNY	\$1,500.00	827	102			
Chin	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$4,000.00)	827	109			
Chin	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$4,000.00	827	102			
Johnson	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$3,000.00)	827	109			
Johnson	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$3,000.00	827	102			
Kallos	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$5,000.00)	827	109			
Kallos	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$5,000.00	827	102			
Koo	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$5,000.00)	827	109			
Koo	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$5,000.00	827	102			
Lander	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$3,500.00)	827	109			
Lander	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$3,500.00	827	102			
Mendez	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$5,000.00)	827	109			
Mendez	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$5,000.00	827	102			
Rosenthal	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	(\$3,500.00)	827	109			
Rosenthal	Outstanding Renewal Enterprises, Inc. ***	13-3320984	DSNY	\$3,500.00	827	102			

Rosenthal	Upper West Side Recycling Center, Inc. ***	13-3116064	DSNY	(\$5,000.00)	827	109		
Rosenthal	Upper West Side Recycling Center, Inc. ***	13-3116064	DSNY	\$5,000.00	827	102		
Rose	Nigerian-American Community Association (USA), Inc.	20-0542826	DYCD	(\$2,500.00)	260	005	United Activities Unlimited, Inc.	13-2921483
Rose	Nigerian-American Community Association (USA), Inc.	20-0542826	DYCD	\$2,500.00	260	005		
Rose	Project Hospitality	13-3234441	DYCD	(\$3,500.00)	260	005	United Activities Unlimited, Inc.	13-2921483
Rose	Project Hospitality	13-3234441	DYCD	\$3,500.00	260	005		
Rose	United States Sierra Leonean Association	26-2252152	DYCD	(\$2,500.00)	260	005	United Activities Unlimited, Inc.	13-2921483
Rose	United States Sierra Leonean Association	26-2252152	DYCD	\$2,500.00	260	005		

\* Indicates pending completion of pre-qualification review.

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

CHART 1: Local Initiatives - Fiscal 2018 (continued)

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Crowley	Department of Parks and Recreation - Dry Harbor Playground	13-6400434	DPR	(\$8,400.00)	846	006			
Crowley	Department of Parks and Recreation - Juniper Valley Park	13-6400434	DPR	\$8,400.00	846	006			
Treyger	New York Cancer Center, Inc.	27-2464042	DOHMH	(\$5,000.00)	816	117			
Treyger	Family Preservation Services of New York Corp	11-3550153	DOHMH	\$5,000.00	816	120			
Treyger	Brighton Ballet Theater Company, Inc.	11-3195590	DYCD	(\$3,000.00)	260	312			
Treyger	We Care New York, Inc.	46-2357985	DYCD	\$3,000.00	260	005			
Treyger	Gravesend Athletic Association, Inc.	11-3019763	DYCD	(\$5,000.00)	260	312			
Treyger	Health Essential Association Inc	45-2871053	DYCD	\$5,000.00	260	005			
Rodriguez	Pan American Musical Art Research, Inc. **	13-3229941	DYCD	(\$5,000.00)	260	005			
Rodriguez	Pan American Musical Art Research, Inc. **	13-3229941	DCLA	\$5,000.00	126	003			
Perkins	Publicolor, Inc.	13-3912768	DCLA	(\$5,000.00)	126	003			
Perkins	Publicolor, Inc.	13-3912768	DYCD	\$5,000.00	260	312			
Garodnick	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$5,000.00)	069	107			
Garodnick	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$5,000.00	069	107			
Kallos	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$2,500.00)	069	107			
Kallos	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$2,500.00	069	107			
Levin	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$2,000.00)	069	107			
Levin	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$2,000.00	069	107			
Mendez	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$7,500.00)	069	107			
Mendez	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$7,500.00	069	107			
Rosenthal	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$3,500.00)	069	107			
Rosenthal	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$3,500.00	069	107			
Williams	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$2,000.00)	069	107			
Williams	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$2,000.00	069	107			
Mendez	City Lore, Inc. **	11-2740189	DYCD	(\$7,000.00)	260	005			
Mendez	City Lore, Inc. **	11-2740189	DCLA	\$7,000.00	126	003			
Rose	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DYCD	(\$5,000.00)	260	005			
Rose	Catholic Charities of Staten Island	13-5562286	DYCD	\$5,000.00	260	005			
Matteo	Staten Island Federation of Parent Teacher Associations	13-3255838	DYCD	(\$1,000.00)	260	312	Jewish Community Center of Staten Island, Inc.	135562256	
Matteo	Staten Island Federation of Parent Teacher Associations	13-3255838	DYCD	\$1,000.00	260	312			
Rose	Staten Island Federation of Parent Teacher Associations	13-3255838	DYCD	(\$2,500.00)	260	312	Jewish Community Center of Staten Island, Inc.	135562256	
Rose	Staten Island Federation of Parent Teacher Associations	13-3255838	DYCD	\$2,500.00	260	312			
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	(\$4,000.00)	260	005	Jewish Community Center of Staten Island, Inc.	135562256	
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	\$4,000.00	260	005			

\* Indicates pending completion of pre-qualification review.

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



**CHART 2: Aging Discretionary - Fiscal 2018**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Deutsch	Seabreeze Jewish Center	11-2164803	DFTA	(\$3,000.00)	125	003	JCC of Greater Coney Island	11-2665181	*
Deutsch	Seabreeze Jewish Center	11-2164803	DFTA	\$3,000.00	125	003	Jewish Community Council of Greater Coney Island, Inc.	11-2665181	*
Vacca	San Gennaro Senior Center	43-2061329	DFTA	(\$10,000.00)	125	003			
Vacca	Older Adults Technology Services (OATS), Inc.	55-0882599	DFTA	\$10,000.00	125	003			

\* Indicates pending completion of pre-qualification review.

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

## CHART 3: Youth Discretionary - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Maisel	Girlz Powered Up!, Inc.	81-4512141	DYCD	(\$2,500.00)	260	312	Bergen Basin Community Development Inc. d/b/a Millennium Development	11-3199040	
Maisel	Girlz Powered Up!, Inc.	81-4512141	DYCD	\$2,500.00	260	312	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	
Williams	Rugby Delivery Tabernacle	11-3304088	DYCD	(\$3,500.00)	260	312			
Williams	Rugby Deliverance Tabernacle	11-3304088	DYCD	\$3,500.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

**CHART 4: Anti-Poverty Initiative - Fiscal 2018**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Eugene	Parkside Empire, The   Flatbush Avenue Merchants Association, Inc.	47-3710354	DSBS	(\$5,000.00)	801	002			
Eugene	Pratt Area Community Council, Inc.	11-2451752	DSBS	\$5,000.00	801	002			
Chin	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$7,000.00)	069	107			
Chin	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$7,000.00	069	107			
Gibson	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$7,000.00)	069	107			
Gibson	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$7,000.00	069	107			
Palma	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$5,000.00)	069	107			
Palma	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$5,000.00	069	107			

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

**CHART 5: Initiative to Address Borough Wide Needs - Fiscal 2018**

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Brooklyn Delegation	Department of Sanitation ***	13-6400434	DSNY	(\$7,051.00)	827	109			
Brooklyn Delegation	Department of Sanitation ***	13-6400434	DSNY	\$7,051.00	827	102			
Brooklyn Delegation	Business Outreach Center Network, Inc. ***	11-3306111	DSBS	(\$5,000.00)	801	002			
Brooklyn Delegation	Business Outreach Center Network, Inc. ***	11-3306111	DYCD	\$5,000.00	260	005			
Queens Delegation	Regional Plan Association ***	13-1624154	DSBS	(\$50,000.00)	801	002			
Queens Delegation	Regional Plan Association ***	13-1624154	DYCD	\$50,000.00	260	005			
Brooklyn Delegation	Jewish Community Council of Canarsie, Inc. **	11-2608645	DYCD	(\$5,750.00)	260	005			
Brooklyn Delegation	Jewish Community Council of Canarsie, Inc. **	11-2608645	DFTA	\$5,750.00	125	003			
Manhattan Delegation	MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$10,555.00)	069	107			
Manhattan Delegation	Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$10,555.00	069	107			
Staten Island Delegation	Travis Fourth of July Celebration Committee, Inc.	13-3586505	DYCD	(\$3,500.00)	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Staten Island Delegation	Travis Fourth of July Celebration Committee, Inc.	13-3586505	DYCD	\$3,500.00	260	005			
Staten Island Delegation	Staten Island Hindu Temple, Inc.	13-3981477	DYCD	(\$4,000.00)	260	005	Jewish Community Center of Staten Island, Inc.	13-5562256	
Staten Island Delegation	Staten Island Hindu Temple, Inc.	13-3981477	DYCD	\$4,000.00	260	005			

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

**CHART 6: Cultural After-School Adventure (CASA) Initiative - Fiscal 2018**

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	13-6400434	DCLA	(\$260,000.00)	126	003
Cohen	Midtown Management Group, Inc. - Public School 20X	13-3192793	DCLA	\$20,000.00	126	003
Garodnick	Horticultural Society of New York, Inc. - Public School 116M	13-0854930	DCLA	\$20,000.00	126	003
Garodnick	National Choral Council, Inc. - Wagner Middle School - MS167M	13-2598476	DCLA	\$20,000.00	126	003
Gibson	Time In Children's Arts Initiative - Public School 63X	26-3603729	DCLA	\$20,000.00	126	003 *
Gibson	Renaissance Youth Center -	13-4122438	DCLA	\$20,000.00	126	003
Grodenschik	Flushing Council on Culture and the Arts, Inc. - Public School 133Q	11-2652182	DCLA	\$20,000.00	126	003
Grodenschik	New York Hall of Science - Public School 115Q	11-2104059	DCLA	\$20,000.00	126	003
Lander	Reel Stories Teen Filmmaking, Inc. - Millennium Brooklyn High School	20-0936377	DCLA	\$20,000.00	126	003
Levine	Young Men's and Young Women's Hebrew Association - Public School 36M	13-1624229	DCLA	\$20,000.00	126	003
Levine	Multicultural Music Group, Inc. - Mott Hall Middle School	13-3894314	DCLA	\$20,000.00	126	003
Richards	Rockaway Waterfront Alliance Inc. - Public School 183Q	11-3783397	DCLA	\$20,000.00	126	003
Richards	JLSC Educational Tour Bus, Inc. - I.S 356Q	13-4085631	DCLA	\$20,000.00	126	003
Rosenthal	Waterwell Productions, Inc. - MS 245M	22-3886369	DCLA	\$20,000.00	126	003
Koslowitz	CUNY Creative Arts Team - P.S. 54Q	13-3893536	DCLA	(\$20,000.00)	126	003
Koslowitz	Research Foundation of CUNY - Creative Arts Team - P.S. 54Q	13-1988190	DCLA	\$20,000.00	126	003
Vallone	CUNY Creative Arts Team - J.H.S. 185Q Edward Bleeker	13-3893536	DCLA	(\$20,000.00)	126	003
Vallone	Research Foundation of CUNY - Creative Arts Team - J.H.S. 185Q Edward Bleeker	13-1988190	DCLA	\$20,000.00	126	003
Vallone	CUNY Creative Arts Team - P.S. Q159	13-3893536	DCLA	(\$20,000.00)	126	003
Vallone	Research Foundation of CUNY - Creative Arts Team - P.S. Q159	13-1988190	DCLA	\$20,000.00	126	003
Williams	CUNY Creative Arts Team - P.S. 119K	13-3893536	DCLA	(\$20,000.00)	126	003
Williams	Research Foundation of CUNY - Creative Arts Team - P.S. 119K	13-1988190	DCLA	\$20,000.00	126	003
Van Bramer	An Claidheamh Soluis, Inc. - Our World Neighborhood Charter School	51-0244834	DCLA	(\$20,000.00)	126	003
Van Bramer	Ballet Hispanico of New York, Inc. - Public School 76Q	13-2685755	DCLA	\$20,000.00	126	003
Miller	Children's Theatre Company - Public School 134Q	13-4120097	DCLA	(\$20,000.00)	126	003
Miller	Making Books Sing, Inc. - Public School 134Q	13-4201577	DCLA	\$20,000.00	126	003
Menchaca	Groundswell Community Mural Project, Inc.	11-3427213	DCLA	(\$20,000.00)	126	003
Menchaca	Groundswell Community Mural Project, Inc. - South Brooklyn Community High School	11-3427213	DCLA	\$20,000.00	126	003

\* Indicates pending completion of pre-qualification review.

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

## CHART 7: A Greener NYC Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Youth and Community Development	13-6400434	DYCD	(\$46,000.00)	260	005
Rodriguez	New York Restoration Project	13-3959056	DYCD	\$21,000.00	260	005
Levine	WNET - Climate Change in Our Urban Environment	26-2810489	DYCD	\$15,000.00	260	005
Van Bramer	Dutch Kills Civic Association	11-2806214	DYCD	\$10,000.00	260	005
Torres	New York Botanical Garden **	13-1693134	DYCD	(\$20,000.00)	260	005
Torres	New York Botanical Garden **	13-1693134	DYCD	\$20,000.00	126	005
Koslowitz	Alley Pond Environmental Center, Inc. ****	11-2405466	DYCD	(\$60,000.00)	260	005
CD28	Alley Pond Environmental Center, Inc. ****	11-2405466	DYCD	\$60,000.00	260	005
Mendez	Fund for the City of New York, Inc. - Cafeteria Culture Program - Recycling and Climate Education at PS 188 **	13-2612524	DYCD	(\$12,500.00)	260	005
Mendez	Fund for the City of New York, Inc. - Cafeteria Culture Program - Recycling and Climate Education at PS 188 **	13-2612524	DOE	\$12,500.00	260	005
Mendez	Fund for the City of New York, Inc. - Cafeteria Culture Program - PS 34 CD 2 **	13-2612524	DYCD	(\$22,500.00)	260	005
Mendez	Fund for the City of New York, Inc. - Cafeteria Culture Program - PS 34 CD 2 **	13-2612524	DOE	\$22,500.00	260	005

**CHART 8: Digital Inclusion and Literacy Initiative - Fiscal 2018**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
Grodnychik	Queens Borough Public Library **	13-6400434	DYCD	(\$20,000.00)	260	005
Grodnychik	Queens Borough Public Library **	13-6400434	QBPL	\$20,000.00	039	001

\* Indicates pending completion of pre-qualification review.

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

**CHART 9: Domestic Violence and Empowerment (DoVE) Initiative - Fiscal 2018**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Mayor's Office of Criminal Justice	13-6400434	MOCJ	(\$231,593.00)	098	002
Mealy	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	(\$15,000.00)	098	002
Mealy	Battered Women's Resource Center	11-3302911	MOCJ	\$5,000.00	098	002
Mealy	Girls for Gender Equity, Inc.	04-3697166	MOCJ	\$5,000.00	098	002
Mealy	Jericho Road, Inc.	11-3463615	MOCJ	\$25,000.00	098	002 *
Miller	Haitian Americans United for Progress, Inc.	11-2423857	MOCJ	\$37,500.00	098	002
Miller	Allen Womens Resource Center	11-2822398	MOCJ	\$41,593.00	098	002 *
Miller	Turning Point for Women and Families	54-2177390	MOCJ	\$37,500.00	098	002
Vallone	Brooklyn Legal Services, Inc.	13-2605605	MOCJ	(\$18,519.00)	098	002
Vallone	Brooklyn Legal Services Corporation A	13-2605599	MOCJ	\$18,519.00	098	002
Kallos	Urban Justice Center	13-3442022	MOCJ	\$47,500.00	098	002
Kallos	New York Legal Assistance Group	13-3505428	MOCJ	\$47,500.00	098	002

\* Indicates pending completion of pre-qualification review.

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



**CHART 10: Support Our Seniors Initiative - Fiscal 2018**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department for the Aging	13-6400434	DFTA	(\$176,000.00)	125	003
Espinal	Brooklyn Legal Services Corporation A	13-2605599	DFTA	(\$4,000.00)	125	003
Crowley	SHARE: Self-Help for Women with Breast or Ovarian Cancer, Inc.	13-3131914	DFTA	\$20,000.00	125	003
Crowley	Vera Institute of Justice, Inc.	13-1941627	DFTA	\$20,000.00	125	003
Levine	New York City Housing Authority	13-6400434	DFTA	\$10,000.00	125	003
Levine	West Side Federation for Senior and Supportive Housing, Inc. - Fredrick Douglass Senior Center	13-2926433	DFTA	\$10,000.00	125	003
Maisel	Bergen Beach Youth Organization, Inc.	11-2598350	DFTA	\$15,000.00	125	003
Maisel	Bergen Basin Community Development Corporation d/b/a Millennium Development	11-3199040	DFTA	\$15,000.00	125	003
Maisel	Catholic Charities Neighborhood Services, Inc. - The Bay Senior Center	11-2047151	DFTA	\$15,000.00	125	003
Maisel	Jewish Association for Services for the Aged (JASA) - HES Senior Center	13-2620896	DFTA	\$15,000.00	125	003
Richards	Jewish Association for Services for the Aged (JASA) - JASA Brookdale	13-2620896	DFTA	\$20,000.00	125	003
Richards	Older Adults Technology Services (OATS), Inc.	55-0882599	DFTA	\$40,000.00	125	003

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

**CHART 11: Healthy Aging Initiative - Fiscal 2018**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department for the Aging	13-6400434	DFTA	(\$70,980.00)	125	003
Maisel	Bergen Basin Community Development Corporation d/b/a Millennium Development - Mill Basin Senior Center and Active Adult Program	11-3199040	DFTA	\$12,500.00	125	003
Maisel	Bergen Beach Youth Organization, Inc. - Marine Park Seniors and Active Adult Program	11-2598350	DFTA	\$12,500.00	125	003
Maisel	Bergen Beach Youth Organization, Inc. - Bergen Beach Services for Seniors and Active Adult Programs	11-2598350	DFTA	\$10,490.00	125	003
Richards	Jewish Association for Services for the Aged (JASA) - JASA Brookdale Senior Center	13-2620896	DFTA	\$17,745.00	125	003
Richards	Merrill Park Civic Association of Springfield Gardens, Inc.	11-2304928	DFTA	\$17,745.00	125	003

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

## CHART 12: NYC Cleanup Initiative - Fiscal 2018

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Youth and Community Development	13-6400434	DYCD	(\$225,142.00)	260	005
Van Bramer	Association of Community Employment Programs for the Homeless, Inc.	13-3846431	DYCD	\$15,000.00	260	005
Chin	Chinatown District Management Association, Inc.	45-5491393	DYCD	\$30,142.00	260	005 *
Treyger	Kings Highway Beautification Association, Inc.	20-4986882	DYCD	\$10,000.00	260	005
Treyger	Alliance for Coney Island, Inc.	46-0802042	DYCD	\$20,000.00	260	005
Treyger	Wildcat Service Corporation	13-2725423	DYCD	\$150,000.00	260	005
Garodnick	Department of Sanitation **	13-6400434	DSNY	(\$100,000.00)	827	102
Garodnick	Department of Sanitation **	13-6400434	DSNY	\$100,000.00	827	109
Lancman	Department of Sanitation **	13-6400434	DSNY	(\$79,000.00)	827	109
Lancman	Department of Sanitation **	13-6400434	DSNY	\$79,000.00	827	102
Vallone	Department of Sanitation **	13-6400434	DSNY	(\$15,000.00)	827	102
Vallone	Department of Sanitation **	13-6400434	DSNY	\$15,000.00	827	109
Borelli	Department of Sanitation **	13-6400434	DSNY	(\$24,944.00)	827	109
Borelli	Department of Sanitation **	13-6400434	DSNY	\$24,944.00	827	102
Johnson	Department of Sanitation **	13-6400434	DSNY	(\$25,000.00)	827	102
Johnson	Department of Sanitation **	13-6400434	DSNY	\$25,000.00	827	109
Levin	Department of Sanitation **	13-6400434	DSNY	(\$20,000.00)	827	109
Levin	Department of Sanitation **	13-6400434	DSNY	\$20,000.00	827	102
Williams	Department of Sanitation **	13-6400434	DSNY	(\$75,000.00)	827	109
Williams	Department of Sanitation **	13-6400434	DSNY	\$75,000.00	827	102

\* Indicates pending completion of pre-qualification review.

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

CHART 13: Parks Equity Initiative - Fiscal 2018

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Parks and Recreation**	13-6400434	DPR	(\$634,500.00)	846	006
Van Bramer	Central Astoria Local Development Coalition, Inc.	11-2652331	DPR	\$10,000.00	846	006
Van Bramer	Hip to Hip Theatre Company	26-4049629	DPR	\$10,000.00	846	006
Van Bramer	Jacob A. Riis Neighborhood Settlement, Inc.	11-1729398	DPR	\$10,000.00	846	006
Cabrera	New York Restoration Project	13-3959056	DPR	\$20,000.00	846	006
Cabrera	Green Guerillas, Inc.	13-2903183	DPR	\$25,000.00	846	006
Cabrera	Council on the Environment, Inc.	13-2765465	DPR	\$13,500.00	846	006
Cabrera	City Parks Foundation	13-3561657	DPR	\$20,000.00	846	006
Corney	Council on the Environment, Inc.	13-2765465	DPR	\$20,000.00	846	006
Corney	New York Restoration Project	13-3959056	DPR	\$20,000.00	846	006
Salamanca	Department of Parks and Recreation	13-6400434	DPR	\$30,000.00	846	006
Salamanca	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Lancman	Department of Parks and Recreation	13-6400434	DPR	\$48,500.00	846	006
Eugene	Prospect Park Alliance, Inc.	11-2843763	DPR	\$18,100.00	846	006
Eugene	New York Restoration Project	13-3959056	DPR	\$15,000.00	846	006
Eugene	City Parks Foundation	13-3561657	DPR	\$15,000.00	846	006
Eugene	Department of Parks and Recreation	13-6400434	DPR	\$30,400.00	846	006
Garodnick	Friends of The East River Esplanade 60th-120th Streets, Inc.	46-0542653	DPR	\$10,000.00	846	006
Garodnick	Sutton Place Parks Conservancy, Inc.	47-4054653	DPR	\$10,000.00	846	006
Garodnick	Stuyvesant Cove Park Association, Inc.	11-3582255	DPR	\$10,000.00	846	006
Garodnick	Friends of Dag Hammarskjold Plaza	13-3749587	DPR	\$10,000.00	846	006
Garodnick	Turtle Bay Tree Fund, Inc.	13-2561121	DPR	\$10,000.00	846	006
Garodnick	City Parks Foundation	13-3561657	DPR	\$28,500.00	846	006
Gentile	Department of Parks and Recreation	13-6400434	DPR	\$78,500.00	846	006
Levin	Open Space Alliance for North Brooklyn, Inc.	01-0849087	DPR	\$10,000.00	846	006
Levin	New York Restoration Project	13-3959056	DPR	\$10,000.00	846	006
Levin	Prospect Park Alliance, Inc.	11-2843763	DPR	\$10,000.00	846	006
Levin	Open Space Alliance for North Brooklyn, Inc.	01-0849087	DPR	\$13,500.00	846	006
Levin	Cadman Park Conservancy, Inc.	45-2063716	DPR	\$15,000.00	846	006 *
Levine	Horticultural Society of New York, Inc.	13-0854930	DPR	\$15,000.00	846	006
Maisel	Department of Parks and Recreation	13-6400434	DPR	\$23,500.00	846	006
Maisel	New York City Housing Authority**	13-6400434	NYCHA	\$10,000.00	098	002
Maisel	Salt Marsh Alliance, Inc.	74-3072910	DPR	\$5,000.00	846	006
Maisel	Department of Parks and Recreation	13-6400434	DPR	\$10,000.00	846	006
Maisel	Marine Park Alliance Corp	46-3291341	DPR	\$10,000.00	846	006 *
Maisel	Hendrick I Lott House Preservation Association	13-3945416	DPR	\$10,000.00	846	006 *
Maisel	Marine Park Community Association	11-3332730	DPR	\$10,000.00	846	006 *

Torres	City Parks Foundation	13-3561657	DPR	\$10,000.00	846	006
Rodriguez	Inwood-Manhattan Little League Baseball, Inc.	13-6271595	DPR	(\$12,834.00)	846	006
Rodriguez	Bameso USA	34-2056362	DPR	\$12,834.00	846	006

\* Indicates pending completion of pre-qualification review.

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

**CHART 14: Food Pantries Initiative - Fiscal 2018**

<b>Borough</b>	<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A *</b>
Bronx	Food Bank For New York City - Africa Redemption Alliance	13-3179546	DYCD	(\$5,361.00)	260	005
Bronx	Food Bank For New York City - Manna of Life Ministries	13-3179546	DYCD	\$5,361.00	260	005
Bronx	Food Bank For New York City - Gethsemane Baptist church	13-3179546	DYCD	(\$5,361.00)	260	005
Bronx	Food Bank For New York City - Mid-Bronx Food Pantry	13-3179546	DYCD	\$5,361.00	260	005
Queens	Food Bank For New York City - Flushing Jewish Community Council, Inc.	13-3179546	DYCD	(\$25,000.00)	260	005
Queens	Food Bank For New York City - Vets Inc.	13-3179546	DYCD	\$25,000.00	260	005
Brooklyn	Rugby Delivery Tabernacle	11-3304088	DYCD	(\$10,000.00)	260	005
Brooklyn	Rugby Deliverance Tabernacle	11-3304088	DYCD	\$10,000.00	260	005
Manhattan	Coalition for the Homeless, Inc. - Food Pantry Initiative **	13-3072967	DYCD	\$70,000.00	260	005

\* Indicates pending completion of pre-qualification review.

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

**CHART 15: Neighborhood Development Grant Initiative - Fiscal 2018**

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Small Business Services	13-6400434	DSBS	(\$110,000.00)	801	002
Chin	Chinatown District Management Association, Inc.	45-5491393	DSBS	\$22,000.00	801	002 *
Espinal	Brooklyn Alliance, Inc.	11-2145956	DSBS	\$22,000.00	801	002
Gentile	Brooklyn Alliance, Inc.	11-2145956	DSBS	\$22,000.00	801	002
Levine	New York Women's Chamber of Commerce, Inc. - West Harlem Business Sustainability Program	14-1845651	DSBS	\$22,000.00	801	002
Vallone	Chamber of Commerce Borough of Queens, Inc.	11-0559220	DSBS	\$22,000.00	801	002

\* Indicates pending completion of pre-qualification review.

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

**CHART 16: Cultural Immigrant Initiative - Fiscal 2018**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	13-6400434	DCLA	(\$561,000.00)	126	003
Crowley	Film Fleadh Foundation, Inc.	13-4051235	DCLA	\$20,000.00	126	003
Crowley	Creative Arts Workshops for Kids, Inc.	13-3638436	DCLA	\$15,000.00	126	003
Garodnick	Asian American Writers' Workshop	13-3677911	DCLA	\$25,000.00	126	003
Garodnick	Midtown Management Group, Inc.	13-3192793	DCLA	\$20,000.00	126	003
Garodnick	Chashama Arts, Inc.	13-3862422	DCLA	\$20,000.00	126	003
Garodnick	Spanish Dance Arts Company	13-3286419	DCLA	\$50,000.00	126	003
Johnson	Haiti Cultural Exchange, Inc.	34-2034041	DCLA	\$23,000.00	126	003
Johnson	Bronx Opera Company, Inc.	23-7170675	DCLA	\$23,000.00	126	003
Levin	New York Foundation for the Arts	23-7129564	DCLA	\$20,000.00	126	003 *
Levine	USA-Mali Charitable Association of New York	26-1805327	DCLA	\$10,000.00	126	003 *
Maisel	Hendrick I Lott House Preservation Association	13-3945416	DCLA	\$15,000.00	126	003 *
Maisel	West Indian American Day Carnival Association, Inc.	23-7176396	DCLA	\$20,000.00	126	003
Maisel	Kings Bay YM-YWHA, Inc.	11-3068515	DCLA	\$40,000.00	126	003
Maisel	Wyckoff House and Association, Inc.	11-2615053	DCLA	\$40,000.00	126	003
Mark-Viverito	Studio in a School Association, Inc.	13-3003112	DCLA	\$15,000.00	126	003
Mark-Viverito	Bronxartspace Inc.	45-4636159	DCLA	\$20,000.00	126	003
Mark-Viverito	Latin American Workshop, Inc., The	13-2995536	DCLA	\$20,000.00	126	003
Mark-Viverito	Center for Traditional Music and Dance	23-7379877	DCLA	\$20,000.00	126	003
Mark-Viverito	Bronx Children's Museum	26-0579140	DCLA	\$20,000.00	126	003
Mark-Viverito	Los Pleneros de la 21, Inc.	13-3353110	DCLA	\$20,000.00	126	003
Lancman	Young Men's Christian Association of Greater New York	13-1624228	DCLA	\$20,000.00	126	003
Lancman	Queens Jewish Community Council, Inc.	23-7172152	DCLA	\$40,000.00	126	003
Lancman	A Better Jamaica, Inc.	11-3804421	DCLA	\$25,000.00	126	003
Lancman	King Manor Association of Long Island, Inc.	11-2396324	DCLA	\$10,000.00	126	003
Lancman	JLSC Educational Tour Bus, Inc.	13-4085631	DCLA	\$10,000.00	126	003

\* Indicates pending completion of pre-qualification review.

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



CHART 17: HIV/AIDS Faith Based Initiative - Fiscal 2018

Borough	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$1,101,000.00)	816	112
	Black Veterans for Social Justice, Inc.	11-2608983	DOHMH	\$275,000.00	816	112
	National Black Leadership Commission on AIDS, Inc.	13-3530740	DOHMH	\$81,000.00	816	112
	Latino Commission on AIDS	13-3629466	DOHMH	\$70,000.00	816	112 *
Queens Delegation	Greater Allen A. M. E. Cathedral of New York	11-2527706	DOHMH	\$10,000.00	816	112 *
Queens Delegation	Mount Horeb Baptist Church	11-2074467	DOHMH	\$10,000.00	816	112
Queens Delegation	Mt. Moriah AME Church	11-2831746	DOHMH	\$10,000.00	816	112
Queens Delegation	St. Albans Congregational Church	11-2077266	DOHMH	\$10,000.00	816	112 *
Bronx Delegation	Community Healthcare Network, Inc.	13-3083068	DOHMH	\$10,000.00	816	112
Bronx Delegation	Urban Health Plan, Inc.	23-7360305	DOHMH	\$10,000.00	816	112
Manhattan Delegation	Community Health Awareness Ministry, Inc.	27-0043612	DOHMH	\$14,000.00	816	112 *
Manhattan Delegation	First A.M.E. Bethel Church	13-1945828	DOHMH	\$14,000.00	816	112 *
Manhattan Delegation	Greater Tabernacle Baptist Church	13-3490430	DOHMH	\$14,000.00	816	112 *
Manhattan Delegation	St. Luke's Episcopal Church	13-2747442	DOHMH	\$14,000.00	816	112
Manhattan Delegation	Vision Urbana, Inc.	13-3848575	DOHMH	\$14,000.00	816	112
Staten Island Delegation	Central Family Life Center	13-3626127	DOHMH	\$10,000.00	816	112
Staten Island Delegation	Second Chance Resource Group	45-4345759	DOHMH	\$20,000.00	816	112
Brooklyn Delegation	Berean Community & Family Life Center	11-2870465	DOHMH	\$13,000.00	816	112
Brooklyn Delegation	Brooklyn Center for Quality Life	26-2651830	DOHMH	\$13,000.00	816	112
Brooklyn Delegation	Churches United for Fair Housing, Inc.	26-4698161	DOHMH	\$16,000.00	816	112
Brooklyn Delegation	Emmanuel Baptist Church in Brooklyn	11-1666232	DOHMH	\$13,000.00	816	112
	BOOM!Health	13-3599121	DOHMH	\$45,000.00	816	112
	Muslim Women's Institute for Research and Development (MWIRD)	80-0010627	DOHMH	\$75,000.00	816	112
	Y.E.T., Inc.	20-4824991	DOHMH	\$15,000.00	816	112 *
	Unity Fellowship Breaking Ground	11-3352350	DOHMH	\$10,000.00	816	112 *
	Bridging Access to Care, Inc.	11-3031208	DOHMH	\$10,000.00	816	112
	Caribbean Women's Health Association, Inc.	13-3323168	DOHMH	\$10,000.00	816	112
	Gay Men of African Descent (GMAD)	13-3597820	DOHMH	\$10,000.00	816	112 *
	Coalition On Positive Health Empowerment, Inc.	27-2654975	DOHMH	\$30,000.00	816	112
	Congregation Beit Simchat Torah	23-7406899	DOHMH	\$75,000.00	816	112 *
	Iris House: A Center for Women Living with HIV, Inc.	13-3699201	DOHMH	\$30,000.00	816	112
	Planned Parenthood of New York City, Inc.	13-2621497	DOHMH	\$10,000.00	816	112
	Public Health Solutions	13-5669201	DOHMH	\$50,000.00	816	112
	AIDS Center of Queens County, Inc.	11-2837894	DOHMH	\$35,000.00	816	112
	Young Women of Color HIV/AIDS Coalition	26-3178076	DOHMH	\$20,000.00	816	112

	Community Health Action of Staten Island, Inc.	13-3556132	DOHMH	\$25,000.00	816	112
	Just a Friend Away of Staten Island, Inc.	27-0026154	DOHMH	\$10,000.00	816	112

\* Indicates pending completion of pre-qualification review.

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

**CHART 18: Community Housing Preservation Strategies - Fiscal 2018**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Housing Preservation and Development	13-6400434	HPD	(\$29,729.00)	806	009	
Legal Services NYC	13-2600199	HPD	\$29,729.00	806	009	
Housing Preservation and Development	13-6400434	HPD	(\$61,000.00)	806	009	
Legal Services NYC	13-2600199	HPD	\$61,000.00	806	009	
MFY Legal Services, Inc.	13-2622748	HPD	(\$29,730.00)	806	009	
Mobilization for Justice, Inc.	13-2622748	HPD	\$29,730.00	806	009	

\* Indicates pending completion of pre-qualification review.

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

**CHART 19: Ending the Epidemic Initiative - Fiscal 2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene**	13-6400434	DOHMH	(\$190,000.00)	816	112	
Gay Men's Health Crisis, Inc., Inc.	13-3130146	DOHMH	\$90,000.00	816	112	
Department of Social Services**	13-6400434	DSS/HRA	\$60,000.00	069	107	
Gay Men of African Descent (GMAD)	13-3597820	DOHMH	\$15,000.00	816	112	*
Healthix, Inc.	45-0553664	DOHMH	\$10,000.00	816	112	*
Mehala Isadora Miller (MIM) Foundation, Inc.	47-4913191	DOHMH	\$15,000.00	816	112	
La Casa de Salud	13-3205023	DOHMH	(\$33,720.00)	816	112	
La Casa de la Herencia Cultural Puertorriquena, Inc.	13-3205023	DOHMH	\$33,720.00	816	112	
Community Research Initiative on AIDS, Inc.	13-3632234	DOHMH	(\$228,630.00)	816	112	
Department of Health and Mental Hygiene	13-6400434	DOHMH	\$228,630.00	816	112	

\* Indicates pending completion of pre-qualification review.

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

**CHART 20: Autism Awareness - Fiscal  
2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Lincoln Center for the Performing Arts,	13-1847137	DCLA	(\$55,000.00)	126	003	
Lincoln Center for the Performing Arts,	13-1847137	DCLA	\$55,000.00	126	022	

\* Indicates pending completion of pre-qualification review.

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

**CHART 21: Maternal and Child Health Services - Fiscal 2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Queens Comprehensive Perinatal Council	11-2870422	DOHMH	(\$35,484.00)	816	113	
Department of Health and Mental Hygiene	13-6400434	DOHMH	\$35,484.00	816	113	
Caribbean Women's Health Association, Inc.	13-3323168	DOHMH	(\$121,320.00)	816	113	
Urban Health Plan, Inc.	23-7360305	DOHMH	\$121,320.00	816	113	

\* Indicates pending completion of pre-qualification review.

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

**CHART 22: Senior Centers, Programs, and Enhancements -  
Fiscal 2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department for the Aging ****	13-6400434	DFTA	(\$500,000.00)	125	003	
Department for the Aging	13-6400434	DFTA	(\$70,000.00)	125	003	
Stanley M. Isaacs Neighborhood Center, Inc.	13-2572034	DFTA	\$70,000.00	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 23: Educational Programs for Students - Fiscal 2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
United Federation of Teachers	13-5582895	DOE	(\$915,000.0)	040	402	
United Federation of Teachers Educational Foundation, Inc.	13-9226721	DOE	\$915,000.00	040	402	

\* Indicates pending completion of pre-qualification review.

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



**CHART 24: Discretionary Child Care Initiative - Fiscal  
2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Administration for Children's	13-6400434	ACS	(\$350,000.0)	068	004	

\* Indicates pending completion of pre-qualification review.

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

**CHART 25: Dropout Prevention and Intervention Initiative - Fiscal 2018**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Bank Street College of	13-5562167	DOE	\$30,000.00	040	454	

\* Indicates pending completion of pre-qualification review.

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

**CHART 26: Immigrant Resource Center - Fiscal  
2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community Development ***	13-6400434	DYCD	(\$500,000.00)	260	005	
Department of Social Services ***	13-6400434	DSS/HRA	\$500,000.00	069	107	
Department of Social Services	13-6400434	DSS/HRA	(\$500,000.00)	069	107	
Make the Road New York	11-3344389	DSS/HRA	\$50,000.00	069	107	
New York Legal Assistance Group, Inc.	13-3505428	DSS/HRA	\$50,000.00	069	107	
Catholic Charities Community Services, Archdiocese of New York	13-5562185	DSS/HRA	\$110,000.00	069	107	
Catholic Charities Community Services, Archdiocese of New York	13-5562185	DSS/HRA	\$50,000.00	069	107	
Center for Family Representation	51-0419496	DSS/HRA	\$40,000.00	069	107	
CAMBA, Inc.	11-2480339	DSS/HRA	\$50,000.00	069	107	
Public Health Solutions	13-5669201	DSS/HRA	\$50,000.00	069	107	
Brooklyn Alliance, Inc.	11-2145956	DSS/HRA	\$50,000.00	069	107	
South Asian Council for Social Services	11-3632920	DSS/HRA	\$50,000.00	069	107	

\* Indicates pending completion of pre-qualification review.

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

**CHART 27: Art a Catalyst for Change - Fiscal  
2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
New Heritage	13-2683678	DCLA	(\$18,000.00)	126	003	
New Heritage Theatre Group	13-2683678	DCLA	\$18,000.00	126	003	
Bronx Museum of the Arts, The - Junior High School 145	13-2709368	DCLA	(\$18,000.00)	126	003	
Bronx Museum of the Arts, The - I.S. 218 Rafael Hernandez Dual Language School	13-2709368	DCLA	\$18,000.00	126	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 28: CUNY Research Institutes - Fiscal  
2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
City University of New York - LGBTQ Research Center at	13-6400434	CUNY	\$200,000.00	042	001	

\* Indicates pending completion of pre-qualification review.

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

**CHART 29: Wrap-Around Support for Traditional-Aged Foster Youth -  
Fiscal 2018**

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Jewish Board of Family and Children's Services,	13-5564937	DSS/HRA	(\$50,000.00)	069	103	
Jewish Board of Family and Children's Services,	13-5564937	ACS	\$50,000.00	068	006	

\* Indicates pending completion of pre-qualification review.

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

**CHART 30: Adult Literacy Initiative - Fiscal  
2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
NYU Lutheran	13-3971298	DYCD	(\$100,000.00)	260	005	
NYU Hospitals Center - Lutheran Medical Center	13-3971298	DYCD	\$100,000.00	260	005	
Department of Youth and Community Development**	13-6400434	DYCD	(\$2,910,396.00)	260	005	
Department of Education **	13-6400434	DOE	\$1,938,021.00	040	402	
Borough of Manhattan Community College **	13-1988190	CUNY	\$50,000.00	042	001	
Bronx Community College **	13-1988190	CUNY	\$100,000.00	042	001	
Medgar Evers College **	13-3893536	CUNY	\$75,000.00	042	001	
Edith and Carl Marks Jewish Community House of Bensonhurst, Inc.	11-1633484	DYCD	\$80,000.00	260	005	
Young Women's Christian Association of Brooklyn	11-1630919	DYCD	\$20,375.00	260	005	
Arab American Association of New York, Inc.	11-3604756	DYCD	\$75,000.00	260	005	
Henry Street Settlement	13-1562242	DYCD	\$100,000.00	260	005	
Door - A Center of Alternatives, Inc., The	13-6127348	DYCD	\$100,000.00	260	005	
Northern Manhattan Coalition for Immigrant Rights	13-3255591	DYCD	\$115,000.00	260	005	
New York Public Library **	13-6400434	NYPL	\$57,000.00	037	006	

\* Indicates pending completion of pre-qualification review.

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

**CHART 31: Civic Education in New York City Schools - Fiscal 2018**

<b>Organization</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Medgar Evers College	13-3893536	CUNY	\$50,000.00	042	001	

\* Indicates pending completion of pre-qualification review.

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



**CHART 32: Naturally Occurring Retirement Communities (NORCs) -  
Fiscal 2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Jewish Association for Services for the Aged (JASA) - Penn South Program for Seniors	13-2620896	DFTA	(\$20,000.00)	125	003	
Penn South Social Services, Inc. - Mutual Development Houses	13-3413349	DFTA	\$20,000.00	125	003	
Department for the Aging	13-6400434	DFTA	(\$167,000.00)	125	003	

\* Indicates pending completion of pre-qualification review.

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

**CHART 33: Afterschool Enrichment Initiative - Fiscal  
2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community	13-6400434	DYCD	\$167,000.00	260	312	

\* Indicates pending completion of pre-qualification review.

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

**CHART 34: Job Training and Placement Initiative - Fiscal  
2018**

<b>Organization - Program</b>	<b>EIN Number</b>	<b>Agency</b>	<b>Amount</b>	<b>Agy #</b>	<b>U/A</b>	<b>*</b>
Consortium for Worker Education	13-3564313	DSBS	\$200,000.00	801	011	

\* Indicates pending completion of pre-qualification review.

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

**CHART 35: Immigrant Opportunities Initiative - Fiscal  
2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$126,000.0	069	107	
Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$126,000.00	069	107	

\* Indicates pending completion of pre-qualification review.

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

**CHART 36: Legal Services for the Working Poor - Fiscal 2018**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$405,000.00)	069	107	
Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$405,000.00	069	107	
MFY Legal Services, Inc.	13-2622748	DSS/HRA	(\$50,000.00)	069	107	
Mobilization for Justice, Inc.	13-2622748	DSS/HRA	\$50,000.00	069	107	

\* Indicates pending completion of pre-qualification review.

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

CHART 37: Local Initiatives - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	(\$4,000.00)	260	005	Jewish Community Center of Staten Island, Inc.	135562256	
Matteo	Staten Island Employment Education Consortium	13-3097367	DYCD	\$4,000.00	260	005			
Rose	Federated Garden Clubs of New York State, Inc.	03-0537604	DYCD	(\$3,500.00)	260	005	United Activities Unlimited, Inc.	132921483	
Rose	Federated Garden Clubs of New York State, Inc.	03-0537604	DYCD	\$3,500.00	260	005			
Rose	Forest Avenue District Management Association, Inc.	14-1933279	DSBS	(\$3,500.00)	801	002	United Activities Unlimited, Inc.	132921483	
Rose	Forest Avenue District Management Association, Inc.	14-1933279	DSBS	\$3,500.00	801	002			
Rose	Health Education on Wheels, Inc.	26-0333747	DOHMH	(\$3,000.00)	816	113	United Activities Unlimited, Inc.	132921483	
Rose	Health Education on Wheels, Inc.	26-0333747	DOHMH	\$3,000.00	816	113			
Rose	Staten Island Sports Alliance Corp	27-2152528	DYCD	(\$3,400.00)	260	312	United Activities Unlimited, Inc.	132921483	
Rose	Staten Island Sports Alliance Corp	27-2152528	DYCD	\$3,400.00	260	312			
Matteo	Travis Fourth of July Celebration Committee, Inc., The	13-3586505	DYCD	(\$3,500.00)	260	005	Jewish Community Center of Staten Island, Inc.	135562256	
Matteo	Travis Fourth of July Celebration Committee, Inc., The	13-3586505	DYCD	\$3,500.00	260	005			
Levine	Cell Motion Laboratories, Inc.	26-2092282	DYCD	(\$3,500.00)	260	312			
Levine	BioBus, Inc.	26-2092282	DYCD	\$3,500.00	260	312			
Salamanca	Cell Motion Laboratories, Inc.	26-2092282	DYCD	(\$5,000.00)	260	312			
Salamanca	BioBus, Inc.	26-2092282	DYCD	\$5,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

CHART 38: Youth Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Koo	Child Center of New York, Inc., The	11-1733454	DYCD	(\$5,000.00)	260	312			
Koo	Child Center of New York, Inc., The - Latimer Gardens	11-1733454	DYCD	\$5,000.00	260	312			
Rose	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DYCD	(\$3,500.00)	260	312			
Rose	Catholic Charities of Staten Island	13-5562286	DYCD	\$3,500.00	260	312			
Rose	Staten Island Cricket Club	90-0932357	DYCD	(\$3,000.00)	260	312	United Activities Unlimited, Inc.	132921483	
Rose	Staten Island Cricket Club	90-0932357	DYCD	\$3,000.00	260	312			
Rosenthal	Cell Motion Laboratories, Inc.	26-2092282	DYCD	(\$5,000.00)	260	312			
Rosenthal	BioBus, Inc.	26-2092282	DYCD	\$5,000.00	260	312			

\* Indicates pending completion of pre-qualification review.

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

CHART 39: Aging Discretionary - Fiscal 2017

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Matteo	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DFTA	(\$10,000.00)	125	003			
Matteo	Catholic Charities of Staten Island	13-5562286	DFTA	\$10,000.00	125	003			
Rose	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DFTA	(\$15,000.00)	125	003			
Rose	Catholic Charities of Staten Island	13-5562286	DFTA	\$15,000.00	125	003			
Rose	Catholic Charities Community Services, Archdiocese of New York	13-5562185	DFTA	(\$15,000.00)	125	003			
Rose	Catholic Charities of Staten Island	13-5562286	DFTA	\$15,000.00	125	003			

\* Indicates pending completion of pre-qualification review.

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



**CHART 40: Anti-Poverty Initiative - Fiscal 2017**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Rose	Project Hospitality, Inc.	13-3234441	DYCD	(\$3,500.00)	260	005	United Activities Unlimited, Inc.	132921483	
Rose	Project Hospitality, Inc.	13-3234441	DYCD	\$3,500.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

**CHART 41: Local Initiatives - Fiscal 2016**

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Lander	Center For Popular Democracy	45-3813436	DYCD	(\$10,000.00)	260	005			
Lander	Center For Popular Democracy, Inc.	45-3813436	DYCD	\$10,000.00	260	005			

\* Indicates pending completion of pre-qualification review.

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

**CHART 42: Cultural After-School Adventure (CASA) - Fiscal 2017**

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Menchaca	Brooklyn Arts Council, Inc. - Public School 169	23-7072915	DCLA	(\$20,000.00)	126	003			
Menchaca	Brooklyn Arts Council, Inc. - Public School 24K	23-7072915	DCLA	\$20,000.00	126	003			
Cumbo	Museum of Contemporary African Diasporian Arts, Inc. - Public School 375K Jackie Robinson	11-3526774	DCLA	(\$20,000.00)	126	003			
Cumbo	Museum of Contemporary African Diasporian Arts, Inc. - Bedford Academy	11-3526774	DCLA	\$20,000.00	126	003			

\* Indicates pending completion of pre-qualification review.

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

**CHART 43: Adult Literacy - Fiscal  
2017**

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Korean American Family Services	13-3609811	DYCD	(\$20,000.00)	260	005	
Korean American Family Services Center , Inc., The	13-3609811	DYCD	\$20,000.00	260	005	

\* Indicates pending completion of pre-qualification review.

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

CHART 44: Purpose of Funds Changes - Fiscal 2018

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Ferreras-Copeland	Human Services Council of New York City	13-3620059	DYCD	(\$12,500.00)	Funding for not for profit executive management leadership workshops for human services organization providers.	
Local	Ferreras-Copeland	Human Services Council of New York City	13-3620059	DYCD	\$12,500.00	To support workshops/trainings for nonprofits on how to respond to new federal policies.	
Boro	Queens Delegation	Child Center of New York, Inc., The	11-1733454	DYCD	(\$25,000.00)	To support the Anti-Bullying project which includes training of staff to facilitate Restorative Justice workshops	
Boro	Queens Delegation	Child Center of New York, Inc., The	11-1733454	DYCD	\$25,000.00	Funding to support the expansion of resources to Immigrant Children and Families, to improve on access/deliverables for community.	
Boro	Staten Island Delegation	Police Athletic League, Inc.	13-5596811	DYCD	(\$5,000.00)	Funds will support administrative, staffing and operational costs associated with the organization's after school and summer programming at PS44.	
Boro	Staten Island Delegation	Police Athletic League, Inc.	13-5596811	DYCD	\$5,000.00	Funds will support administrative, staffing and operational costs associated with the organization's after school and summer programming at PS 78.	
Local	Johnson	New Alternatives for Children, Inc.	13-3149298	ACS	(\$7,500.00)	To fund hot meals and Life Skills group for homeless LGBT youth.	
Local	Johnson	New Alternatives for Children, Inc.	13-3149298	ACS	\$7,500.00	Funds will be used to provide Aftercare Services.	
Local	Levin	New Alternatives for Children, Inc.	13-3149298	ACS	(\$2,000.00)	To fund hot meals and Life Skills group for homeless LGBT youth.	
Local	Levin	New Alternatives for Children, Inc.	13-3149298	ACS	\$2,000.00	To support education staff in implementing the Side-by-Side Learning Program and overseeing the support of volunteer tutors.	
Local	Cabrera	Police Athletic League, Inc.	13-5596811	DYCD	\$20,000.00	Funding will support the PAL Teen Center in district 14 Bronx. Funds will enhance educational and life skills components through curricula, supplies and field trips. This program is currently located at MS 390.	
Local	Cabrera	Police Athletic League, Inc.	13-5596811	DYCD	\$20,000.00	Funding will support a PAL Teen 12-week Basketball clinic for up to 35 teenagers at MS 390 with a culminating tournament.	
Local	Torres	Coro New York Leadership Center	13-3571610	DYCD	(\$5,000.00)	Funding will support the Participatory Budgeting Youth Fellowship (PBYF) in District [insert #], which provides student interns with intensive hands-on training to increase youth involvement in the PB process. Funding will cover program fees for participants.	
Local	Torres	Coro New York Leadership Center	13-3571610	DYCD	\$5,000.00	Funding will support the Participatory Budgeting Youth Fellowship (PBYF) in District 15, which provides students with intensive hands-on training to increase civic engagement and participation in the PB process among youth.	
Anti-Poverty	Torres	New York City Housing Authority	13-6400434	NYCHA	(\$5,000.00)	Funds will support the operating expenses NYCHA scholarship program.	
Anti-Poverty	Torres	New York City Housing Authority	13-6400434	NYCHA	\$5,000.00	Funds will support the NYCHA scholarship program.	
Parks Equity Initiative	Rose	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	Funds will support programming provided by City Parks Foundation in Friends of Eibs Pond Park and Westerleigh Coalition at Northerleigh Park.	
Parks Equity Initiative	Rose	City Parks Foundation	13-3561657	DPR	\$10,000.00	Funding will support City Parks Foundation Parks Equity Initiative services in Council District 49.	
Local	Eugene	Research Foundation of State University of New Y14-1368361		DOHMH	(\$6,000.00)	Funding to support Brooklyn Alzheimer Disease Assistance Center BADAC, including operational expenses and staff support.	
Local	Eugene	Research Foundation of State University of New Y14-1368361		DOHMH	\$6,000.00	Funding to support the STAR Health program, including operational expenses and staff support.	

Local	Perkins	Publicolor, Inc.	13-3912768	DCLA	(\$5,000.00)	To provide funding support for Paint Club for Schools in CD09.	
Local	Perkins	Publicolor, Inc.	13-3912768	DYCD	\$5,000.00	Funding to support COLOR Club and Next Steps programming to help student reconnect academically and strive for college.	

\* Indicates pending completion of pre-qualification review.

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

CHART 44: Purpose of Funds Changes - Fiscal 2018 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Communities of Color Nonprofit Stabilization Fund		Asian American Federation of New York	133572287	DYCD	(100,000.00)	The Communities of Color Nonprofit Stabilization Fund provides capacity building to nonprofit human service providers that serve communities of color.	
Communities of Color Nonprofit Stabilization Fund		Asian American Federation of New York	133572287	DYCD	100,000.00	The Communities of Color Nonprofit Stabilization Fund provides capacity building to nonprofit human service providers that serve communities of color. An allocation of \$100,000 to the Asian American Federation of New York will support the provision of technical assistance under this initiative.	
Communities of Color Nonprofit Stabilization Fund		Asian American Federation of New York	133572287	DYCD	(100,000.00)	To fund youth empowerment counselors as part of Edwin Gould's STEPS program.	
Communities of Color Nonprofit Stabilization Fund		Asian American Federation of New York	133572287	DYCD	100,000.00	To provide a broad range of counseling and legal case management services that help support healing and stability as they move through the criminal justice system. Funding will provide resources to continue services for these women when they return to their communities after a period of incarceration. Also will help finance the cost of our Case Manager, program supervision, and the materials needed for program activities.	
Parks Equity Initiative	Cohen	Department of Parks and Recreation	13-6400434	DPR	(\$38,500.00)	To provide the following in Council District 11: Community Garden Supply Kit and Renovation; The New York Tree Trust tree guard installation.	
Parks Equity Initiative	Cohen	Department of Parks and Recreation	13-6400434	DPR	\$38,500.00	To provide the following in Council District 11: Community Garden Supply Kit and Renovation; The New York Tree Trust tree guard installation; and Van Cortlandt Park Memorial Grove plaque.	
Parks Equity Initiative	Gibson	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	Funding will support programming at Mullaly Park and Friends of 4 Parks Alliance	
Parks Equity Initiative	Gibson	City Parks Foundation	13-3561657	DPR	\$10,000.00	Funding will support City Parks Foundation Parks Equity Initiative services in Council District 16.	
Parks Equity Initiative	Gibson	City Parks Foundation	13-3561657	DPR	(\$10,000.00)	Funding will support maintenance and programming at Drew Playground.	
Parks Equity Initiative	Gibson	City Parks Foundation	13-3561657	DPR	\$10,000.00	Funding will support City Parks Foundation Parks Equity Initiative services in Council District 16.	
Youth	Rosenthal	Publicolor, Inc.	13-3912768	DYCD	(\$2,000.00)	Funds support the painting of the PS 191M building school yard.	
Youth	Rosenthal	Publicolor, Inc.	13-3912768	DYCD	\$2,000.00	Funds support the painting of the PS 452M school yard.	
Youth	Rosenthal	Publicolor, Inc.	13-3912768	DYCD	(\$5,000.00)	Funds support the painting of the PS 191M building school yard.	
Youth	Rosenthal	Publicolor, Inc.	13-3912768	DYCD	\$5,000.00	Funds support the painting of the PS 452M school yard.	
Boro	Bronx Delegation	Good Shepherd Services, Inc.	13-5598710	DYCD	(\$10,000.00)	To support After-school Programs in City Council District 18 (PS 382, East Fordham Academy, MS 206, PS 246, PS/MS 15/291)	
Boro	Bronx Delegation	Good Shepherd Services, Inc.	13-5598710	DYCD	\$10,000.00	To support After-school Programs in City Council District 14 (PS 382, East Fordham Academy, MS 206, PS 246, PS/MS 15/291)	
Local	Deutsch	Association of Holocaust Survivors from the Former Soviet Union, Inc.	11-3395358	DFTA	(\$6,500.00)	To support commemorative and education programs for Holocaust survivors.	
Local	Deutsch	Association of Holocaust Survivors from the Former Soviet Union, Inc.	11-3395358	DFTA	\$6,500.00	Funding to support the Holocaust Survivors Charity educational and social gatherings; and food pantry.	

Parks Equity Initiative	Constantinides	City Parks Foundation	13-3561657	DPR	(\$30,000.00)	Funds will be used to provide programming and technical assistance to the Friends of Whitey Ford Field, Friends of Paul Raimonda Playground, Friends of Astoria Heights Playground.
Parks Equity Initiative	Constantinides	City Parks Foundation	13-3561657	DPR	\$30,000.00	Funding will support City Parks Foundation Parks Equity Initiative services in Council District 22.

\* Indicates pending completion of pre-qualification review.

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



CHART 45: Purpose of Funds - Fiscal 2017

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds	*
Local	Ferreras-Copeland	Human Services Council of New York City	13-3620059	DYCD	(\$5,000.00)	To support a workshop to analyze the structures of power and privilege by funding workshop instructors, event space, course materials, and staff resource.	
Local	Ferreras-Copeland	Human Services Council of New York City	13-3620059	DYCD	\$5,000.00	Funding for not for profit executive management leadership workshops for human services organization providers.	
Local	Rodriguez	Inwood Community Services, Inc.	13-3087407	DYCD	(\$5,000.00)	Funds will support an Adult Education Counselor for the ICS Literacy Program.	
Local	Rodriguez	Inwood Community Services, Inc.	13-3087407	DYCD	\$5,000.00	Funds will be used to support ICS's Literacy Program.	
Foster Youth Transitional Care		Jewish Board of Family and Children's Services, Inc.	13-5564937	DSS/HRA	(\$250,000.00)	This allocation supports a one stop service center program for youth aging out of foster care in New York City. The entity will provide ongoing case management and refer clients to stable housing, employment and job training.	
Foster Youth Transitional Care		Jewish Board of Family and Children's Services, Inc.	13-5564937	DSS/HRA	\$250,000.00	This allocation supports a coordinated initiative to serve Transition Age Youth. The entity will collaborate with national leading expert to conduct investigation and develop research-driven approaches to care, and engage youth as decision makers and partners in the process, for the purpose of designing a relevant and replicable pilot model for a one-stop community-based program serving Transition Age youth.	

\* Indicates pending completion of pre-qualification review.

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

**CHART 46: Beating Hearts Initiative - Fiscal 2018**

<b>Member</b>	<b>Organization</b>	<b>EIN Number</b>	<b>*</b>
Peter Koo	Evergreen Community Garden of Colden Street Flushing	13-6400434	
Grodenschik	Colonial Farmhouse Restoration Society of Bellerose, Inc.	11-2508369	
Rosenthal	AYSO Region 611 West Side Soccer League	95 6205398	
Rosenthal	Riverside Tennis Association	20-5928005	
Mealy	Shalom Senior Center	11-2322490	
Mealy	Saratoga Senior Center Council, Inc.	11-2453853	
Mealy	Families United, Inc.	11-3388067	
Mealy	Lincoln terrace Tennis Association	04-3672661	

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

JAMES G. VAN BRAMER, *Acting Chairperson*; YDANIS A. RODRIGUEZ, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, October 31, 2017. *Other Council Members Attending: Council Members Kallos and Vacca.*

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 Fire and Criminal Justice Services**

Report for Int. No. 778-A

**Report of the Committee on Fire and Criminal Justice Services 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 requiring the department of correction to submit regular reports regarding the investigations of the use of force by correction officers on inmates**

The Committee on Fire and Criminal Justice Services to which the annexed proposed amended local law was referred on April 28, 2015 (Minutes, page 1540), respectfully

### **REPORTS:**

#### **I. INTRODUCTION**

On Tuesday, October 30, 2017, the Committee on Fire and Criminal Justice Services, chaired by Council Member Elizabeth S. Crowley, will vote on Proposed Introductory Bill Number 778-A (“Prop. Int. No. 778-A”), pertaining to the Department of Correction (“DOC”), as will be summarized below. The Committee previously held a hearing on Introductory Bill Number 778 (“Int. No. 778”) on May 6, 2015. At that hearing, the Committee heard testimony from the Administration, criminal justice advocates, and various interested parties.

#### **II. BACKGROUND**

The DOC provides for the care, custody, and control of inmates who are remanded or cannot afford to post bail for open criminal cases, those sentenced to a term of one year or less, and a variety of other less common bases.<sup>1</sup> During Fiscal Year 2017, DOC had 58,226 admissions with an average daily inmate population (“ADP”) of 9,500.<sup>2</sup> The average length of stay of inmates in New York City jails was 60.0 days.<sup>3</sup> The Department’s facilities include ten jails on Rikers Island as well as jails in the Bronx, Brooklyn, Manhattan and Queens.<sup>4</sup>

<sup>1</sup> New York State Correction Law § 500-a.

<sup>2</sup> Mayor’s Management Report 2017, p.85 at <http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2017/doc.pdf>. Last visited 10/18/17.

<sup>3</sup> Mayor’s Management Report 2017, p.84 at <http://www1.nyc.gov/assets/operations/downloads/pdf/mmr2017/doc.pdf>. Last visited 10/18/17.

<sup>4</sup> Id. at 83.

In 2011, the Legal Aid Society sued the City and the DOC in the class action case of Nunez v. City of New York.<sup>5</sup> In August of 2014, the United States Attorney for the Southern District of New York (“DOJ”) issued a letter to the DOC detailing findings it made during an investigation of the treatment of adolescent inmates in DOC facilities.<sup>6</sup> The DOJ joined the Nunez case as a plaintiff in December of 2014,<sup>7</sup> and announced an agreement in principle to settle this case in June of 2015.<sup>8</sup> The full settlement agreement was filed on July 1, 2016,<sup>9</sup> and took effect upon its judicial approval on October 21, 2015.<sup>10</sup>

The consent judgement in the Nunez case (hereinafter “settlement”) requires the DOC to “develop, adopt, and implement a comprehensive use of force policy with particular emphasis on permissible and impermissible uses of force.”<sup>11</sup> The settlement includes dozens of specific requirements to be included in this policy. The settlement requires every staff member of the DOC who either uses force on an inmate or witnesses the use of force to promptly submit a detailed report of such incident.<sup>12</sup> Non-DOC staff who work in DOC facilities must also file reports upon witnessing a use of force incident that results in an apparent injury.<sup>13</sup> The settlement also requires a computerized tracking system for these reports, and the outcomes of investigations into the uses of force.

The settlement requires “thorough, timely, and objective investigations of all Use of Force Incidents.”<sup>14</sup> The settlement includes numerous specific requirements of such investigations, which among other items includes establishing a pilot program to video record interviews and requiring “preliminary reviews” to be filed within two business days of a Use of Force incident.<sup>15</sup> The settlement also requires the DOC to “work with the Monitor to develop and implement functional, comprehensive, and standardized disciplinary guidelines designed to impose appropriate and meaningful discipline for Use of Force Violations.”<sup>16</sup> These guidelines are to include the range of penalties the Department must seek in disciplinary proceedings, and the settlement contains numerous requirements as to what sanctions the Department must seek in certain types of violations.

The monitor appointed by the Nunez court has issued reports every six months on progress complying with its mandates. These reports have thus far included detailed information regarding investigations into the use of force, and disciplinary actions for staff who improperly use force. The reports, however, are designed to elucidate progress in meeting the terms of the settlement, rather than more broadly creating transparency in DOC disciplinary actions. Also, the reports will cease upon the DOC’s compliance with the settlement.

### **III. BACKGROUND AND ANALYSIS OF PROP. INT. NO. 778-A**

This bill would require yearly reporting on investigations into use of force incidents and disciplinary actions for the improper use of force. The bill would require reporting on the number and rate of such investigations, the number and rate of violations of use of force protocols, information on which units or

<sup>5</sup> See Jennifer Gonnerman, A Lawsuit To End Abuse At Rikers, The New Yorker, December 19, 2014, available at <http://www.newyorker.com/news/daily-comment/lawsuit-end-abuse-rikers>; see also Press Release of the Department of Justice, Department Of Justice Takes Legal Action To Address Pattern And Practice Of Excessive Force And Violence At Rikers Island Jails That Violates The Constitutional Rights Of Young Male Inmates, December 18, 2014, available at <https://www.justice.gov/usao-sdny/pr/departement-justice-takes-legal-action-address-pattern-and-practice-excessive-force-and>

<sup>6</sup> United States Department of Justice, CRIPA Investigation of the New York City Department of Correction Jails on Rikers Island, August 4, 2014, at p. 31, available at <http://www.justice.gov/sites/default/files/usao-sdny/legacy/2015/03/25/SDNY%20Rikers%20Report.pdf>

<sup>7</sup> Press Release of the Department of Justice, Department Of Justice Takes Legal Action To Address Pattern And Practice Of Excessive Force And Violence At Rikers Island Jails That Violates The Constitutional Rights Of Young Male Inmates, December 18, 2014, available at <https://www.justice.gov/usao-sdny/pr/departement-justice-takes-legal-action-address-pattern-and-practice-excessive-force-and>

<sup>8</sup> Letter from parties to Judge James C. Francis, filed June 22, 2015, available at <https://www.justice.gov/usao-sdny/file/479956/download>

<sup>9</sup> Consent Judgement in Nunez v. City of New York, available at <https://www.justice.gov/usao-sdny/file/624806/download>

<sup>10</sup> Michael Schwartz, Judge Approves Settlement of Suit on Rikers Island Brutality, The New York Times, October 21, 2015, available at <http://www.nytimes.com/2015/10/22/nyregion/judge-approves-settlement-of-suit-on-rikers-island-brutality.html>

<sup>11</sup> Settlement at 5, available at <https://www.justice.gov/usao-sdny/file/624806/download>

<sup>12</sup> Settlement at 10.

<sup>13</sup> Id. at 12.

<sup>14</sup> Id. at 15.

<sup>15</sup> Id. at 16

<sup>16</sup> Id. at 25.

entities within the DOC conduct investigations, and the outcomes of disciplinary actions including referrals to District Attorney's offices or other law enforcement entities.

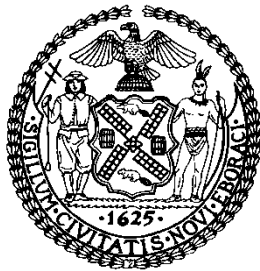
The bill contains a provision that it would not require the disclosure of information that would violate the provision of any federal, state, or local law or that would interfere with law enforcement investigations. This provision is designed to protect against a violation of New York Civil Rights Law section 50-a, which would prohibit the disclosure of personally identifiable disciplinary records.<sup>17</sup>

The bill would take effect immediately, and the first report would be required by August 31, 2018 for the previous fiscal year. Reports would be due yearly by August 31 thereafter.

#### **IV. AMENDMENTS TO INT. NO. 778**

Int. No. 778 was heard in May of 2015, one month before the Nunez settlement was announced and five months before it took effect. The original version of the bill contained numerous reporting requirements that referred to forms of discipline that have changed since Nunez. The current version of the bill refers to investigations and disciplinary outcomes, and is designed to address the fundamental need for transparency in this field while avoiding becoming outdated as the field evolves. The original version of this bill also required reporting on use of force investigations by the Board of Correction and the Department of Investigation, which have been removed in the current version. Finally, the effective date has been modified.

**(The following is the text of the Fiscal Impact Statement for Int. No. 778-A:)**



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

**PROPOSED INTRO. NO: 778-A  
COMMITTEE: Fire and Criminal Justice Services**

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**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to submit regular reports regarding the investigations of the use of force by correction officers on inmates.

**SPONSORS:** Council Members Mendez, Garodnick, Cabrera, Chin, Constantinides, Johnson, Lander, Richards, Rose, Rosenthal and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. 778-A would require the Department of Correction to submit an annual report to the Mayor and the Speaker, and post such report on its website, related to the use of force by correction officers on inmates. This report would include information related to the following: investigations into the use of force; disciplinary outcomes of these investigations, including the types of disciplines imposed; and the number of cases referred to the District Attorney or other similar law enforcement agencies. The first report would be due by August 31, 2018.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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<sup>17</sup> See e.g., Luongo v. Records Access Officer, Civilian Complaint Review Board, 150 A.D.3d 13 (App. Div. 1st Dept. 2017)

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because existing resources would be used to implement the legislation. The Department of Correction has already started developing a system to collect and track the data that Proposed Intro. 778-A would require it to report.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Department of Correction

**ESTIMATE PREPARED BY:** Jin Lee, Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Eisha Wright, Unit Head  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 28, 2015 as Intro. No. 778 and referred to the Committee on Fire and Criminal Justice Services. A hearing was held by the Committee on Fire and Criminal Justice Services on May 6, 2015 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 778-A, will be voted on by the Committee on Fire and Criminal Justice Services at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 778-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 27, 2017

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

**(The following is the text of Int. No. 778-A:)**

Int. No. 778-A

By Council Members Mendez, Garodnick, Cabrera, Chin, Constantinides, Johnson, Lander, Richards, Rose, Rosenthal, Menchaca and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to submit regular reports regarding the investigations of the use of force by correction officers on inmates**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-152 to read as follows:

*§ 9-152 Report on use of force investigations.*

*a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Formal proceeding. The term “formal proceeding” means any formal proceeding before a tribunal, administrative judge, or other adjudicative body outside the department to adjudicate a disciplinary action pursuant to section 75 of the civil service law, including but not limited to proceedings before the New York city office of administrative trials and hearings.*

*Incident. The term “incident” means any incident in which staff used force on an inmate.*

*Staff. The term “staff” means any department of correction uniformed staff.*

*b. Beginning August 31, 2018, and every year thereafter, the commissioner shall prepare a report on investigations into incidents for the previous fiscal year. This report shall be sent to the mayor and the speaker of the council, and posted on the department’s website. This report shall include, but need not be limited to, the following information:*

*1. The number and rate in which the department investigated incidents.*

*2. The number and rate of incidents for which the department determined that staff violated a departmental rule or was otherwise subject to discipline, the type of incident that occurred, and the type of discipline recommended and actually imposed for such incidents.*

*3. To the extent applicable, information regarding the entities within the department that are responsible for conducting investigations into incidents, including the number, rate and speed at which such entities conduct and complete investigations.*

*4. To the extent applicable, the number of formal proceedings that occurred, and the outcomes of such proceedings. In any case in which the outcome of a formal proceeding was a recommendation to the commissioner for a certain type of sanction, the report shall include whether the recommended sanction was accepted, rejected or modified.*

*5. The number of investigations into incidents that were referred to a district attorney’s office, the department of investigation, or any similar law enforcement entity.*

*c. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information or that would interfere with law enforcement investigations.*

*§ 2. This local law takes effect immediately.*

ELIZABETH S. CROWLEY, *Chairperson*; MATHIEU EUGENE, RORY I. LANCMAN, PAUL A. VALLONE; Committee on Fire and Criminal Justice Services, October 30, 2017.

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

### **Report of the Committee on General Welfare**

Report for Int. No. 1066-A

**Report of the Committee on General Welfare 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 a record of the unsheltered homeless population.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 316), respectfully

## REPORTS:

### Introduction

On October 30, 2017, the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a hearing on Proposed Int. No. 1066-A and Proposed Int. No. 1443-A. This will be the second hearing on the bills, the first hearing was held on April 20, 2017. At that hearing, representatives from the Department of Social Services and advocates for the homeless testified. Amendments were made to the bills after the hearing.

### Background

#### *Proposed Int. No. 1066-A - in relation to a record of the unsheltered homeless population*

According to the 2017 annual point-in-time estimate, the HOPE Count, there are an estimated 3,892 unsheltered individuals in the City, an increase from the 2,794 individuals identified in 2016.

<sup>1</sup> According to the Department of Homeless Services (DHS), the milder weather on the night of the 2017 count likely attributed to this increase.<sup>2</sup> However, the HOPE Count is not a definitive census of the unsheltered street homeless population, but rather an estimate of the number of people sleeping in public places on one night in the winter.<sup>3</sup>

The unsheltered homeless population is often reluctant to receive services in traditional shelter settings. DHS utilizes 24/7 street outreach teams to encourage unsheltered individuals to access shelter.<sup>4</sup> These teams work with clients they have existing relationships with and respond to 311 calls regarding homeless individuals.<sup>5</sup> To address the unique issues face by the unsheltered homeless population, in December 2015, Mayor Bill de Blasio announced the launch of the NYC HOME-STAT program “to better and more quickly respond to the street homelessness problem.”<sup>6</sup> HOME-STAT includes weekly canvassing observations covering Manhattan from Canal Street to 145<sup>th</sup> Street and “hot spots” in other boroughs, supplemental quarterly counts from midnight to 4am where “visual observations are made from vehicles and on foot,” and public dashboards that report the number of daily 311 calls, weekly canvassing totals, monthly reporting on HOME-STAT clients, and quarterly count totals.<sup>7</sup> For example, on October 24, 2017, there were 43 calls to 311 to request outreach assistance, 281 individuals observed in Manhattan and citywide during the week of October 15, 2017, 3,711 HOME-STAT clients served in September 2017, and 2,565 people observed citywide in Spring 2017.<sup>8</sup> Pursuant to Proposed Int. No. 1066-A, DHS would continue to expand these efforts through a record that can be shared by the street outreach team staff and updated in real-time to continuously track and serve the unsheltered homeless population.

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<sup>1</sup> NYC Dept. of Homeless Services, 2017 HOPE Count, available at <https://www1.nyc.gov/assets/dhs/downloads/pdf/hope-2017-results.pdf>.

<sup>2</sup> Id.

<sup>3</sup> Id.; Pursuant to HUD regulations, the DHS point-in-time count must be conducted in the last 10 calendar days of January. HUD guidance states that it must be done at this time in order to get a “more precise count of people who are unable or unwilling to access emergency shelter or other crisis response assistance.” Due to the severe weather in January and the inherent difficulties with counting this population, advocates have stated that the HOPE count does not provide an accurate reflection of the actual number of unsheltered individuals. See Coalition for the Homeless, “No Way to Count Homeless New Yorkers,” (Feb. 28, 2013) available at <http://www.coalitionforthehomeless.org/no-way-to-count-homeless-new-yorkers/>.

<sup>4</sup> NYC Dept. of Homeless Services, Street Outreach, available at <http://www1.nyc.gov/site/dhs/outreach/street-outreach.page>.

<sup>5</sup> Id.

<sup>6</sup> Office of the Mayor, Mayor de Blasio Announces Home-Stat At ABNY Breakfast, (Dec. 17, 2015) available at <http://www1.nyc.gov/office-of-the-mayor/news/946-15/mayor-de-blasio-home-stat-abny-breakfast>.

<sup>7</sup> NYC HOME-STAT, <http://www1.nyc.gov/site/operations/projects/homestat/index.page>.

<sup>8</sup> Id.



*Proposed Int. No. 1443-A – in relation to in relation to requiring the department of social services and the department of homeless services to offer training to certain individuals in administering opioid antagonists*

For the past three years, drug overdoses have been the leading cause of death among homeless individuals.<sup>9</sup> Prior to being the leading cause, drug overdoses had been the second leading cause of death, closely behind heart disease.<sup>10</sup> In Fiscal Years (FY) 2014, 2015 and 2016, drug overdoses accounted for 20% (43 individuals), 21% (45 individuals) and 26% (61 individuals) of deaths respectively.<sup>11</sup> In FY15 and FY16, drug overdoses were the leading cause of death for both males and females; in FY14, heart disease was the leading cause of death for males and drug overdose for females.<sup>12</sup> In FY14 and FY15, the leading cause of death for sheltered individuals were drug overdoses and for unsheltered individuals it was accidents.<sup>13</sup> However, in FY16, the leading cause of death for both sheltered and unsheltered individuals was drug overdoses.<sup>14</sup>

Narcan (the brand name for naloxone) is used for the emergency treatment of a known or suspected opioid overdose.<sup>15</sup> Narcan is available in the form of a nasal spray that temporarily reverses the effects of opioid medications and has no effects on people who are taking opioid medications.<sup>16</sup> As of April 20, 2017, DHS staff had been receiving training and plans were in place to begin training of Human Resources Administration (HRA) HIV/AIDS Services Administration (HASA) staff.<sup>17</sup> According to DHS, naloxone was administered 112 times in 2016, successfully reversing 94 overdoses.<sup>18</sup> Proposed Int. No. 1443-A would build on these indicatives to expand training, require shelters and HASA facilities to have trained staff on site, and offer training to residents.

### **Bill Analysis**

*Proposed Int. No. 1066-A - in relation to a record of the unsheltered homeless population*

After the first hearing on Proposed Int. No. 1066-A, amendments were made to the legislation, including the following:

- The requirement for DHS to conduct quarterly nighttime counts was removed; and
- The requirement to maintain a record of unsheltered homeless persons, as described below, was added.

Proposed Int. No. 1066-A would require DHS to maintain a record of all unsheltered homeless persons who are receiving services from or have been contacted by outreach staff. For the purposes of Proposed Int. No. 1066-A, “outreach staff” would be defined as DHS staff or staff contracted by DHS to contact and offer services to the unsheltered homeless population, and “unsheltered homeless person” would be defined as an individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings. Proposed Int. No. 1066-A would require the record to be updated in real time and contain, to the extent available: first and last name, date of birth, race or ethnicity, and the location where outreach staff engaged the person, including, bus shelter, drop-

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<sup>9</sup> Local Law 63 of 2005, Annual Report on Homeless Deaths, 2011-12; 2012-13; 2013-14; 2014-15; 2015-16 (reports on file with Committee staff).

<sup>10</sup> Id.

<sup>11</sup> Id.

<sup>12</sup> Id.

<sup>13</sup> Id.

<sup>14</sup> Id.

<sup>15</sup> <https://www.narcan.com/>

<sup>16</sup> Id.

<sup>17</sup> Testimony of Commissioner Steven Banks, New York City Dept. of Social Services, before the Committee on General Welfare, “Oversight: Post-90 Day Review” (April 20, 2017).

<sup>18</sup> Homeless shelter residents barred from using naloxone in overdose cases, critics say, Daily News (April 20, 2017), <http://www.nydailynews.com/new-york/homeless-shelter-residents-dying-unused-od-remedy-critics-article-1.3081244>.

in center, hospital, park, safe haven or subway. Starting September 1, 2018, and quarterly thereafter, the bill would require DHS would submit to the Speaker of the Council and post online the total number of unsheltered homeless persons included in the record, broken down to the extent available by the location where outreach staff first engaged the unsheltered homeless person. Proposed Int. No. 1066-A would take effect immediately.

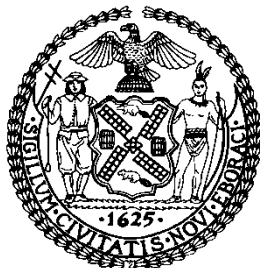
*Proposed Int. No. 1443-A - in relation to requiring the department of social services and the department of homeless services to offer training to certain individuals in administering opioid antagonists*

After the first hearing on Proposed Int. No. 1443-A, amendments were made to the legislation, including the following:

- In addition to training for DHS staff and staff working for providers under contract with DHS, staff working for HRA and under contract with HRA in HASA facilities will also receive the training;
- A provision was added requiring providers to ensure that DHS shelters and HASA facilities have at least one trained staff person on duty at all times; and
- A requirement was added that DHS and HRA must develop and implement a plan to offer training to shelter and HASA facility residents.

Proposed Int. No. 1443-A would require training in administering naloxone (Narcan) to individuals who have overdosed on opioids for staff working in DHS shelters and HRA HASA facilities identified by the agencies that may encounter persons experiencing or who are at high risk of experiencing an opioid overdose. The bill would require the agencies to ensure that at least one trained staff is on duty at all times at HASA facilities and DHS shelters. The bill would also require staff to receive a refresher training every two years. Proposed Int. No. 1443-A would require the agencies to develop and implement a plan to offer training to residents of HASA facilities and DHS shelters who may encounter persons experiencing or who are at a high risk of experiencing an opioid overdose. The bill would require the plan to be submitted to the Speaker of the Council and posted online by March 1, 2018, and include strategies for the agency to offer training to residents of HASA facilities; information on how residents will be informed about the availability of the training; information specific to the availability of such training; information specific to the availability of opioid antagonist at HASA facilities; and the date by which the implementation of such plan will commence. The bill would also require the agencies to annually report on the number of staff and residents who were trained, and the number of times an opioid antagonist was administered to a resident. Proposed Int. No. 1443-A would take effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1066-A:)**



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

**PROPOSED INTRO. NO: 1066-A**

**COMMITTEE: General Welfare**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to a record of the unsheltered homeless population.

**SPONSORS:** By Council Members Council Members Espinal, Johnson, Levin, Palma, Chin, Cohen and Rosenthal.

**SUMMARY OF LEGISLATION:** Proposed Int. 1066-A would require the Department of Homeless Services (DHS) to maintain a record of all unsheltered homeless persons who street outreach staff has contacted or engaged in services. The record would be updated in real time and contain, to the extent available: first and last name, date of birth, race or ethnicity of the person, and the location where outreach staff engaged the person such as bus shelter, drop-in center, hospital, park, safe haven or subway. Starting September 1, 2018, and quarterly thereafter, DHS would submit to the Speaker of the Council and post online the total number of unsheltered homeless persons included in the record, broken down to the extent available by the location where outreach staff first engaged the unsheltered homeless person.

**EFFECTIVE DATE:** The legislation would take effect immediately.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** 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 the enactment of this legislation because DHS’ HOMESTAT outreach program already collects similar information for unsheltered homeless persons, and DHS can use existing resources to implement the provisions of this local law.

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

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

**ESTIMATE PREPARED BY:** Nameera Nuzhat, Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Eric Bernstein, Counsel  
Dohini Sompura, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on February 5, 2016 as Intro. No. 1066 and was referred to the Committee on General Welfare (Committee). The Committee considered the legislation at a hearing held on April 20, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1066-A, will be voted on by the Committee at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1066-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 23, 2017.

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

**(The following is the text of Int. No. 1066-A:)**

## Int. No. 1066-A

By Council Members Espinal, Johnson, Levin, Palma, Chin, Cohen, Rosenthal and Menchaca.

**A Local Law to amend the administrative code of the city of New York, in relation to a record of the unsheltered homeless population**

*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 21-319 to read as follows:

§ 21-319 *Unsheltered homeless population record. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Outreach staff. The term “outreach staff” means department staff or staff contracted by the department to contact and offer services to the unsheltered homeless population.*

*Unsheltered homeless person. The term “unsheltered homeless person” means an individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.*

*b. To the extent such information is provided voluntarily, the department shall maintain a record of all unsheltered homeless persons who are receiving services from or have been contacted by outreach staff, which shall be updated in real time and shall contain, to the extent available: first and last name, date of birth, race or ethnicity, and the location where outreach staff engaged the unsheltered homeless person, including but not be limited to, bus shelter, drop-in center, hospital, park, safe haven or subway. No later than September 1, 2018, and quarterly thereafter, the department shall submit to the speaker of the council and post online the total number of unsheltered homeless persons included in the record required pursuant to this subdivision, disaggregated to the extent available by the location where outreach staff first engaged the unsheltered homeless person.*

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, VANESSA L. GIBSON, COREY D. JOHNSON, RITCHIE J. TORRES; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 30, 2017. *Other Council Members Attending: Council Members Koslowitz, Kallos, Mealy and Crowley.*

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

Report for Int. No. 1443-A

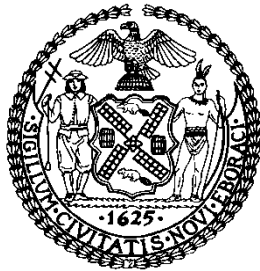
**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to offer training to certain individuals in administering opioid antagonists.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on January 18, 2017 (Minutes, page 207), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 1066-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 1443-A:*



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

**PROPOSED INTRO. NO: 1443-A**

**COMMITTEE: General Welfare**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to offer training to certain individuals in administering opioid antagonists.

**SPONSORS:** Council Members Torres, Levin, Salamanca, Chin, Johnson, Menchaca, Espinal, Richards, Gentile, Reynoso, Grodenchik, Cabrera, Cohen, Rose, Mendez, Vacca, Lancman, Treyger, Dromm, Constantinides, Rosenthal, Vallone, Kallos, Levine, Deutsch and Borelli

**SUMMARY OF LEGISLATION:** Proposed Int. 1443-A would require training for certain staff working in Department of Homeless Services (DHS) shelters and Human Resources Administration (HRA) HIV/AIDS Services Administration (HASA) facilities in administering naloxone (Narcan) to individuals who overdose on opioids. The bill would also require providers to ensure that these facilities to have at least one trained staff on duty during usual business hours. The Department will be required to provide opioid antagonist administration training to staff working at HASA facilities and homeless shelters every two years or otherwise make sure staff receive refresher training every two years. Additionally, the legislation would require the agencies to develop and implement, no later than March 1, 2018, a comprehensive opioid overdose training plan for such residents that would be submitted to the Mayor and the Speaker of the Council and posted online. Furthermore, the legislation would establish that beginning no later than September 1, 2018, and no later than every September 1 thereafter, the Commissioner shall submit to the Mayor and the Speaker of the Council an annual report regarding the number of staff and residents who were trained, and the number of times an opioid antagonist was administered to a resident.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY18</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** 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 the enactment of this legislation because multi-agency funding was included in the Fiscal 2018 Executive Budget to support Healing NYC, a comprehensive effort to reduce opioid overdose deaths. HRA's Fiscal 2018 Budget reflects funding in Fiscal 2018 and in the outyears for an Overdose Prevention Coordinator who will ensure Naloxone training and distribution across HIV/AIDS Services Administration (HASA) shelters and Domestic Violence (DV) shelters. DHS' Fiscal 2018 Budget reflects funding in Fiscal 2017, Fiscal 2018 and in the outyears for the addition of two staff members with similar functions ensuring Naloxone training and distribution across the shelter system. Thus, DHS and HRA can use existing resources to implement the provisions of this local law.

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

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

**ESTIMATE PREPARED BY:** Nameera Nuzhat, Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Eric Bernstein, Counsel  
Dohini Sompura, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on January 18, 2017 as Intro. No. 1433 and was referred to the Committee on General Welfare (Committee). The Committee considered the legislation at a hearing held on April 20, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1443-A, will be voted on by the Committee at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1443-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 23, 2017.

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

**(The following is the text of Int. No. 1443-A:)**

Int. No. 1443-A

By Council Members Torres, Levin, Salamanca, Chin, Johnson, Menchaca, Espinal, Richards, Gentile, Reynoso, Grodenchik, Cabrera, Cohen, Rose, Mendez, Vacca, Lancman, Treyger, Dromm, Constantinides, Rosenthal, Vallone, Kallos, Levine, Deutsch, Miller and Borelli.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services and the department of homeless services to offer training to certain individuals in administering opioid antagonists**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-129 to read as follows:

§ 21-129 Opioid antagonist administration training a. Definitions. For the purposes of this section, the following terms have the following meanings:

*Opioid.* The term “opioid” means an opiate as defined in section 3302 of the public health law.

*Opioid antagonist.* The term “opioid antagonist” means naloxone or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

*Opioid antagonist administration training.* The term “opioid antagonist administration training” means a program with the purpose of training individuals encountering a suspected opioid overdose about the steps to take in order to prevent a fatality, including contacting emergency medical services, and administering an opioid antagonist.

*HASA facility.* The term “HASA facility” means single room occupancy hotels or congregate facilities managed by a provider under contract or similar agreement with the department.

b. Opioid antagonist administration training. 1. The department shall provide opioid antagonist administration training to staff working at HASA facilities as identified by the department that may encounter persons experiencing or who are at high risk of experiencing an opioid overdose. The department shall require providers to ensure that at a minimum one such trained staff is on duty at a HASA facility at all times during the provider's usual business hours.

2. For such staff identified by the department, the department shall (i) provide a refresher training every two years or (ii) otherwise require that each trained employee undergo a refresher training every two years.

3. The department shall develop and implement an opioid overdose training plan to offer opioid overdose training to residents of HASA facilities who may encounter persons experiencing or who are at a high risk of experiencing an opioid overdose. No later than March 1, 2018, the commissioner of the department of social services shall submit to the mayor and the speaker of the council, and post online, a comprehensive opioid overdose training plan for such residents. Such plan shall include, but need not be limited to:

(a) Strategies for the agency to offer opioid antagonist administration training to such residents of HASA facilities;

(b) Information on how such residents will be informed about the availability of such training;

(c) Information specific to the availability of such training;

(d) Information specific to the availability of opioid antagonist at HASA facilities; and

(e) The date by which the implementation of such plan will commence.

c. Beginning no later than September 1, 2018, and no later than every September 1 thereafter, the commissioner shall submit to the mayor and the speaker of the council an annual report regarding (i) the number of department employees and employees of service providers under contract with the department who have completed the opioid antagonist administration training, (ii) the number of department employees and employees of service providers under contract with the department who have completed a refresher training, and (iii) the number of residents living HASA facilities who have completed the opioid antagonist administration training. Such report shall also include the number of times an opioid antagonist was administered to a resident disaggregated by the type of facility where the administration occurred.

§ 2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-320 to read as follows:

§ 21-320 Opioid antagonist administration training a. Definitions. For the purposes of this section, the following terms have the following meanings:

*Opioid.* The term “opioid” means an opiate as defined in section 3302 of the public health law.

*Opioid antagonist.* The term “opioid antagonist” means naloxone or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes, in whole or in part, the pharmacological effects of an opioid in the human body.

*Opioid antagonist administration training.* The term “opioid antagonist administration training” means a program with the purpose of training individuals encountering a suspected opioid overdose with the steps to take in order to prevent a fatality, including contacting emergency medical services and administering an opioid antagonist.

*Shelter.* The term “shelter” means temporary emergency housing provided to homeless individuals by the department or by a provider under contract or similar agreement with the department.

*b. Training. 1. The department shall provide opioid antagonist administration training to staff as identified by the department that may encounter persons experiencing or who are at high risk of experiencing an opioid overdose. The department shall require providers to ensure that at a minimum one such trained staff is on duty at all times during the provider's usual business hours.*

*2. For such employees identified by the department, the department shall (i) provide a refresher training every two years, or (ii) otherwise require that each trained employee undergo a refresher training every two years.*

*3. The department shall develop and implement an opioid overdose training plan to offer opioid overdose training to shelter residents who may encounter persons experiencing or who are at a high risk of experiencing an opioid overdose. No later than March 1, 2018, the commissioner of the department of social services shall submit to the mayor and the speaker of the council, and post online, a comprehensive opioid overdose training plan informed, to the extent practicable, by the reporting pursuant to section 17-190, for such residents. Such plan shall include, but need not be limited to:*

*(a) Strategies for the agency to offer opioid antagonist administration training to such shelter residents;*

*(b) Information on how such shelter residents will be informed about the availability of such training;*

*(c) Information specific to the availability of such training;*

*(d) Information specific to the availability of opioid antagonist at shelter facilities; and*

*(e) The date by which the implementation of such plan will commence.*

*c. Beginning no later than September 1, 2018, and no later than every September 1 thereafter, the commissioner shall submit to the mayor and the speaker of the council an annual report regarding (i) the number of department employees and employees of service providers under contract with the department who have completed the opioid antagonist administration training, (ii) the number of department employees and employees of service providers under contract with the department who have completed a refresher training and (iii) the number of shelter residents who have completed the opioid antagonist training. Such report shall also include the number of times an opioid antagonist was administered to a resident disaggregated by the type of facility where the administration occurred.*

*§ 3. This local law takes effect immediately.*

STEPHEN T. LEVIN, *Chairperson*; ANNABEL PALMA, VANESSA L. GIBSON, COREY D. JOHNSON, RITCHIE J. TORRES; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on General Welfare, October 30, 2017. *Other Council Members Attending: Council Members Koslowitz, Kallos, Mealy and Crowley.*

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 Housing and Buildings**

Report for Int. No. 1307-A

#### **Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to department of buildings inspectors.**

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on October 13, 2016 (Minutes, page 3363), respectfully

**REPORTS:**



### **Introduction**

On October 30, 2017, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams held a hearing for the purposes of conducting votes on Int. No. 1307-A and Int. No. 1436-A.

The Committee originally heard Int. No. 1307-A on June 13, 2017 and received testimony from members of the real estate industry, and other interested members of the public. More information about these bills and materials for those hearings can be accessed online at <http://goo.gl/v7G2Qh>

The Committee also heard Int. No. 1436-A on January 31, 2017 and received testimony from members of the real estate industry, and other interested members of the public. More information about these bills and materials for those hearings can be accessed online at <https://goo.gl/x76Jce>

### **Int. No. 1307-A**

This bill changes qualifications for certain department of buildings inspectors. This legislation takes effect immediately after it becomes law.

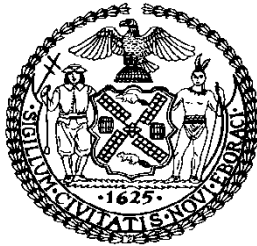
### **Int. No. 1436-A**

This bill would require the Department of Buildings to issue a report to the City Council on site safety managers and coordinators, which is due in October 2018. This legislation takes effect immediately after it becomes law.

### **Update**

On October 30, 2017, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1307-A:)**



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

**PROPOSED INTRO. NO: 1307-A**

**COMMITTEE: Housing and Buildings**

**TITLE:** A Local Law to amend the New York city charter, in relation to department of buildings inspectors

**SPONSORS:** Council Members Williams and Kallos (by request of the Mayor)

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1307-A would broaden the qualifications for inspectors at the Department of Buildings (DOB) who inspect medical and natural gas piping systems, backflow prevention and electrical work to include formal training and education or completion of an apprenticeship program, in combination with work experience in the construction industry. The legislation would also broaden the qualifications for inspectors who conduct other types of inspections to include formal training, education, a license or certification in a relevant discipline, or completion of an apprenticeship program in combination with work experience in the construction industry.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** This legislation is intended and expected to increase the number of inspectors eligible to perform work at DOB. The proposed legislation is expected to increase the number of inspectors DOB can hire and it would not have an impact on personnel costs and associated fringe benefits cost because such costs are reflected in the current financial plan. The Department's Fiscal 2018 Adopted Budget supports a workforce of 1,664 full-time positions, which includes 554 inspectors. Currently, the actual headcount at DOB totals 1,630 positions and DOB has stated that there are currently 40 vacancies for inspector positions. Therefore, the current budget would absorb any costs associated with hiring additional inspectors.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

**SOURCE OF INFORMATION:** New York City Council Finance Division  
New York City Department of Buildings

**ESTIMATE PREPARED BY:** Sarah Gastelum, Principal Financial Analyst

**ESTIMATED REVIEWED BY:** Eric Bernstein, Counsel  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on October 13, 2016, as Intro. No. 1307 and was referred to the Committee on Housing and Buildings (Committee). The legislation was amended after introduction. A hearing was held by the Committee on the amended version, Proposed Intro. No. 1307-A, on June 13, 2017, and the bill was laid over. The legislation will be considered by the Committee on October 30, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 25, 2017.

(For text of Int. Nos. 1436-A and its Fiscal Impact Statement, please see the Report of the Committee on Housing and Buildings for Int. No. 1436-A printed in these Minutes; for text of Int. No. 1307-A, please see below)

*Accordingly, this Committee recommends the adoption of Int. Nos. 1307-A and 1436-A.*

**(The following is the text of Int. No. 1307-A:)**

## Int. No. 1307-A

By Council Members Williams, Kallos, Rosenthal and Menchaca (by request of the Mayor).

**A Local Law to amend the New York city charter, in relation to department of buildings inspectors**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (a) of section 645 of the New York city charter, as amended by local law number 59 for the year 1996, is amended to read as follows:

(a) There shall be a main office of the department and in each borough at least one branch office and a borough superintendent. Persons appointed as inspectors to perform functions of the department shall have such qualifications as shall be prescribed by the commissioner of citywide administrative services after consultation with the commissioner; provided however that, *for inspections related to work on medical and natural gas piping systems, backflow prevention, electrical work and other work as the department may include through rule*, such qualifications shall include:

(1) a minimum of five years of acceptable experience working [at a] *in the construction [trade] industry*; [or]

(2) a license as a professional engineer or architect issued pursuant to the education law; [or]

(3) a minimum of three years of acceptable experience working [at a] *in the construction [trade] industry* and a minimum of two years of formal training or education in [an acceptable construction program, with an emphasis on construction, in a college, technical school or trade school] *a field of study relevant to the discipline(s) inspected*; [or]

(4) a minimum of two years of acceptable experience working [at a] *in the construction [trade or] industry and completion of an apprentice program*, a minimum of [two] *three* years [of formal training or education in an acceptable construction program, with an emphasis on construction, at a college, trade school or technical school and a minimum of three years participation in an apprentice inspection program approved by the commissioner and the commissioner of citywide administrative services.] *in length, in a trade relevant to the discipline(s) inspected*;

(5) *a minimum of two years of formal training or education in a field of study relevant to the discipline(s) inspected and completion of an apprentice program, a minimum of three years in length, in a trade relevant to the discipline(s) inspected; or*

(6) *equivalent education and experience.*

*Further provided however that, for all other inspections, such qualifications shall include:*

(1) *a minimum of two years of acceptable experience working in the construction industry;*

(2) *60 credits towards a degree in a field of study relevant to the discipline(s) inspected;*

(3) *a minimum of one year of acceptable experience working in the construction industry and a minimum of one year of formal training or education in a field of study relevant to the discipline(s) inspected;*

(4) *a license or certification in a field of study relevant to the discipline(s) inspected;*

(5) *completion of an apprentice program, a minimum of two years in length, in a trade relevant to the discipline(s) inspected; or*

(6) *equivalent education and experience.*

§2. This local law takes effect immediately.

JUMAANE D. WILLIAMS, *Chairperson*; ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., *Committee on Housing and Buildings*, October 30, 2017.

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

Report for Int. No. 1436-A

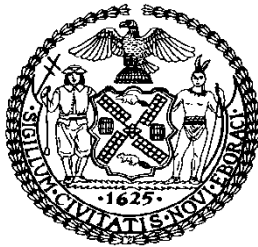
**Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to report on site safety managers and coordinators.**

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on January 18, 2017 (Minutes, page 196), respectfully

**REPORTS:**

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 1436-A printed in these Minutes)

*The following is the text of the Fiscal Impact Statement for Int. No. 1436-A:*



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

**PROPOSED INTRO. NO: 1436-A**

**COMMITTEE: Housing and Buildings**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to report on site safety managers and coordinators

**SPONSORS:** Council Members Matteo, Crowley, Salamanca, Gentile, Rosenthal, Rose, Reynoso, Levin, Espinal, Cornegy, Richards, Menchaca and Chin

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 1436-A would require the Department of Buildings (DOB) to submit an annual report in October of each year to the Council and post the report on its website, that details information on site safety manager and coordinator certificates, including the number of certificates, the number of sites which required a site safety manager or coordinator, the number of certificates issued, the number of applications filed, the average time for approval of an application and the average time for completion of the background check.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources can be used to implement the provisions of this local law.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** Not applicable.

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

**ESTIMATE PREPARED BY:** Sarah Gastelum, Principal Financial Analyst

**ESTIMATED REVIEWED BY:** Eric Bernstein, Counsel  
Rebecca Chasan, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on January 18, 2017, as Intro. No. 1436 and was referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on January 31, 2017, and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 1436-A, will be considered by the Committee on October 30, 2017. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 24, 2017.

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

**(The following is the text of Int. No. 1436-A:)**

Int. No. 1436-A

By Council Members Matteo, Crowley, Salamanca, Gentile, Rosenthal, Rose, Reynoso, Levin, Espinal, Cornegy, Richards, Menchaca, Chin and Kallos.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to report on site safety managers and coordinators**

*Be it enacted by the Council as follows:*

Section 1. Article 103 of chapter 1 of title 28 of the administrative code of the city of New York is amended to add a new section 28-103.31 to read as follows:

**§ 28-103.31 Report on site safety manager and coordinator certifications.** *The commissioner shall, in October of 2018 and each year thereafter, electronically submit to the city council and post on the department's website a report that includes the following information regarding site safety managers and site safety coordinators:*

1. *The (i) number of active site safety manager certificates and (ii) number of active site safety coordinator certificates;*

2. *The (i) number of active site safety manager certificates on the last day of the preceding year and (ii) number of active site safety coordinator certificates on the last day of the preceding year;*
3. *The (i) number of sites for which a site safety manager was required by this code during the preceding year and (ii) number of such sites for which a site safety manager was required by this code but for which a site safety coordinator may be designated in lieu of such manager pursuant to the exception to section 3310.5 of the New York city building code;*
4. *The (i) number of site safety manager certificates issued in the preceding year and (ii) number of site safety coordinator certificates issued in the preceding year;*
5. *The (i) number of applicants for site safety manager certificates who submitted applications during the preceding year and (ii) number of applicants for site safety coordinator certificates who submitted applications during the preceding year;*
6. *The (i) average length of time for an applicant who submitted an application for a site safety manager certificate during the preceding year to receive such certificate, measured from the date a completed application is submitted to the department and (ii) average length of time for an applicant who submitted an application for a site safety coordinator certificate during the preceding year to receive such certificate, measured from the date a completed application is submitted to the department; and*
7. *The (i) average length of time for an applicant who submitted an application for a site safety manager certificate during the preceding year to complete a background check, if any, for such certificate, measured from the date such applicant submitted all documentation necessary to complete such check, (ii) average length of time for an applicant who submitted an application for a site safety coordinator certificate during the preceding year to complete a background check, if any, for such certificate, measured from the date such applicant submitted all documentation necessary to complete such check (iii) the main three reasons for completions of background checks for applicants who submitted applications for site safety manager certificates during the preceding year exceeding the average length of time for completion of such background checks and (iv) the main three reasons for completions of background checks for applicants who submitted applications for site safety coordinator certificates during the preceding year exceeding the average length of time for completion of such background checks.*

§ 2. This local law shall take effect immediately.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ERIC A. ULRICH; Committee on Housing and Buildings, October 30, 2017.

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

### **Report of the Committee on Immigration**

Report for Int. No. 1558-A

**Report of the Committee on Immigration 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 persons not to be detained by the department of probation.**

The Committee on Immigration, to which the annexed proposed amended local law was referred on April 25, 2017 (Minutes, page 1132), respectfully

## REPORTS:

### **INTRODUCTION**

On October 30, 2017, the Committee on Immigration, chaired by Council Member Carlos Menchaca, will hold a hearing on Proposed Int. No. 1568-A, A Local Law in relation to federal immigration enforcement and Proposed Int. No. 1558-A, A Local Law in relation to persons not to be detained by the department of probation. The first hearing on this legislation was on April 26, 2017.

### **BACKGROUND**

According to the New York City Department of City Planning, as of 2013, foreign-born individuals accounted for roughly 37% of the City's total population.<sup>1</sup> New York State is estimated to have anywhere between 775,000 to 850,000 undocumented immigrants, with the New York City-Newark-Jersey City metro area home to approximately 1.15 million.<sup>2</sup> Moreover, the roots of immigrant communities in the City run deep. It is believed that approximately six-in-ten New Yorkers are either immigrants or the children of immigrants.<sup>3</sup> Nationwide, approximately two thirds of the adult undocumented immigrant population had lived in the U.S. for at least ten years.<sup>4</sup>

President Donald J. Trump identified immigration as one of his top policy concerns during the 2016 presidential campaign, often setting himself apart from the large pool of Republican candidates by taking a harsh anti-immigrant stance.<sup>5</sup> Since taking office, President Trump has repeatedly pointed to immigration, both lawful and unlawful, as a cause of low wages for, and high unemployment rate among, native-born American citizens.<sup>6</sup> In addition, the President often cites crimes committed by undocumented individuals.<sup>7</sup> President Trump's Administration began to act on many of his campaign promises relating to immigration—including the construction of a wall along the United States-Mexico border and increased enforcement efforts—within days of taking office. Specifically, the President issued a series of Executive Orders purportedly designed to increase immigration enforcement both internally and at the southern border. With a sizable immigrant population, New York City residents, government, and service providers face new challenges as the federal government continues to rapidly implement its immigration agenda and upend long-standing policies.<sup>8</sup>

### ***Federal Immigration Law and Enforcement***

The Constitution grants Congress the power to “establish an uniform rule of naturalization.”<sup>9</sup> Combined with the inherent power of the U.S., as a sovereign, to exclusively conduct relations with foreign nations, the power to regulate immigration lies firmly within the purview of the federal government.<sup>10</sup> This authority has long been recognized by the Supreme Court, which has affirmed its powers to determine what non-citizens may be admitted into the country, the period in which they may remain, the regulation of their conduct before

<sup>1</sup> N.Y.C. Department of City Planning, *The Newest New Yorkers: Characteristics of the City's Foreign-born Population* (2013), available [https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/nny2013/nny\\_2013.pdf](https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-population/nny2013/nny_2013.pdf).

<sup>2</sup> Migration Policy Institute, Profile of the Unauthorized Population: New York, <http://www.migrationpolicy.org/data/unauthorized-immigrant-population/state/NY> (last accessed Mar. 13, 2017); Pew Research Center, Estimated unauthorized immigrant population, by state, 2014, Nov. 3, 2016, <http://www.pewhispanic.org/interactives/unauthorized-immigrants/>.

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

<sup>4</sup> Pew Research Center, *5 Facts About Illegal Immigration in the U.S.*, Nov. 3, 2016, <http://www.pewresearch.org/fact-tank/2016/11/03/5-facts-about-illegal-immigration-in-the-u-s/>.

<sup>5</sup> Bob Davis, *GOP Primary Voters Conflicted on Immigration, Raising Questions for Trump's Stance*, WALL STREET JOURNAL, Mar. 17, 2016, available at <https://www.wsj.com/articles/gop-primary-voters-conflicted-on-immigration-raising-questions-for-trumps-stance-1458167995>.

<sup>6</sup> Philip Bump, *Here's everything Donald Trump said about immigration in his speech to Congress*, WASHINGTON POST, Mar. 1, 2017, available at [https://www.washingtonpost.com/news/politics/wp/2017/03/01/heres-everything-donald-trump-said-about-immigration-in-his-speech-to-congress/?utm\\_term=.b4f4dce13512](https://www.washingtonpost.com/news/politics/wp/2017/03/01/heres-everything-donald-trump-said-about-immigration-in-his-speech-to-congress/?utm_term=.b4f4dce13512).

<sup>7</sup> *Id.*

<sup>8</sup> N.Y.C. Department of City Planning, *supra* note 1.

<sup>9</sup> U.S. Const., Art. I, § 8, cl. 4.

<sup>10</sup> *United States v. Curtiss-Wright Export Corp.*, 299 U.S. 304, 318 (1936); *Toll v. Moreno*, 458 U.S. 1, 10 (1982).

naturalization, and the terms and conditions of their naturalization.<sup>11</sup> Congress has regularly exercised its authority in this realm throughout our nation's history; however, for the sake of brevity, this section will focus on more recent developments.

The Immigration Reform and Control Act (IRCA), passed in 1986 in response to a perceived “large-scale influx of undocumented aliens,” consists of a series of reforms to the Immigration and Nationality Act (INA) designed to prevent the unauthorized employment of non-citizens.<sup>12</sup> The IRCA prohibited employers from knowingly hiring or recruiting undocumented immigrants; required employers to verify the employment eligibility of non-citizen job applicants; and provided a path to legal status for undocumented non-citizens that had been in the U.S. since at least 1982.<sup>13</sup> Further, Congress made the deportation of ‘aliens’ with certain criminal convictions a formal enforcement priority and directed the federal government to start deportation proceedings “as expeditiously as possible” after conviction for a deportable offense.<sup>14</sup>

### ***Federal Immigration Enforcement***

Prior to 2003, the Immigration and Naturalization Service (INS) conducted federal immigration enforcement as an agency of the U.S. Department of Justice. After the 2001 terrorist attacks, Congress passed a law consolidating a number of agencies and offices—including the INS—into the newly formed Department of Homeland Security (DHS), with Immigration and Customs Enforcement (ICE) taking over many of INS's responsibilities.<sup>15</sup> The years following the creation of ICE would see a massive increase in the size of the agency and its resources.

In his last year in office, President George W. Bush launched Secure Communities, a program designed to utilize the criminal justice system to quickly identify immigrants who might be deportable. The Secure Communities program is contained within the Criminal Alien Program (CAP)—an umbrella for various ICE initiatives and programs directed at identifying, arresting, and removing priority aliens.<sup>16</sup> One of CAP's oldest and most effective techniques is the screening of jail and prison booking records, allowing ICE to find potential matches in DHS databases and identify individuals for removal.<sup>17</sup> The establishment of Secure Communities comported with a 2007 Congressional directive to ICE to develop a plan to “identify every criminal alien, at the prison, jail, or correctional institution in which they are held” and establish a process to remove those judged deportable using a methodology that prioritizes noncitizens convicted of “violent crimes.”<sup>18</sup>

Generally, at the time of arrest, an arrestee's fingerprints are sent to the FBI for statistical and criminal justice purposes. Under Secure Communities, those fingerprints are also sent to DHS, where information relating to the arrestee's immigration history is used to assess whether the arrestee may be deportable. If DHS suspects deportability, the agency sends the local authority a request to detain that individual for an additional 48 hours past the time they would have been released from custody. This extended detention gives ICE additional time to take custody of the arrestee, presumably to initiate deportation proceedings or commence the repatriation process. Participation in the Secure Communities program was voluntary until DHS made

<sup>11</sup> *Id.*; *Arizona v. United States*, 132 S. Ct. 2492, 2498 (2012); *Takahashi v. Fish and Game Commission*, 334 U.S. 410, 419 (1948); and *Hines v. Davidowitz*, 312 U.S. 52, 66 (1941) (“the regulation of aliens is so intimately blended and intertwined with responsibilities of the national government” that federal policy in this area always takes precedence over state policy).

<sup>12</sup> Pub.L. 99-603; Marisa S. Cianciarulo, *The “Arizonification” of Immigration Law: Implications of Chamber of Commerce v. Whiting for State and Local Immigration Legislation*, 15 Harv. Latino L. Rev. 85, 96 (2012) citing H.R. Rep. 99-682(I), at 5650 (1986).

<sup>13</sup> Pub.L. 99-603.

<sup>14</sup> *Id.* at § 701.

<sup>15</sup> Homeland Security Act, P.L. 107-296, 116 Stat. 2135.

<sup>16</sup> U.S. Immigration and Customs Enforcement, Criminal Alien Program, <https://www.ice.gov/criminal-alien-program> (last accessed Feb. 13, 2017).

<sup>17</sup> American Immigration Council, *Enforcement Overdrive: A Comprehensive Assessment of ICE's Criminal Alien Program* 6 (Nov. 2015), available at

[https://www.americanimmigrationcouncil.org/sites/default/files/research/enforcement\\_overdrive\\_a\\_comprehensive\\_assessment\\_of\\_ices\\_criminal\\_alien\\_program\\_final.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/enforcement_overdrive_a_comprehensive_assessment_of_ices_criminal_alien_program_final.pdf).

<sup>18</sup> Consolidated Appropriations Act of 2008, Pub. L. No. 110-161, 121 Stat. 1844, 2050-51 (2007).



participation mandatory starting in 2013.<sup>19</sup> To date, ICE has issued nearly one million detainer requests nationally, with thousands issued to authorities in New York City.<sup>20</sup>

In the program's infancy, there was no clear framework for determining which classes of potentially deportable individuals ICE should target. The authorizing legislation set forth the goal of improving and modernizing "efforts to identify aliens convicted of a crime, sentenced to imprisonment, and who may be deportable, and remove them." In furtherance of that goal, ICE was further directed to develop a methodology "to identify and prioritize for removal criminal aliens convicted of violent crimes."<sup>21</sup> Thus, Secure Communities was intended to serve as a guide for ICE's efforts under CAP by establishing priorities for removal.<sup>22</sup>

Following the launch of Secure Communities, ICE's efforts were marked by a scattershot approach to removals—in fiscal 2008, just 31% of individuals removed had been convicted of a crime, only rising to 35% the following year.<sup>23</sup> In 2010, ICE began to move toward a more focused approach following the establishment of civil immigration enforcement priorities.<sup>24</sup> "Aliens who pose a danger to national security or a risk to public safety" were listed as the highest priority, including, but not limited to, individuals:

- engaged in or suspected of terrorism;
- convicted of crimes, "with a particular emphasis on violent criminals, felons, and repeat offenders;"
- over age 15 who "participated in organized criminal gangs;"
- with outstanding criminal warrants; and
- who "otherwise pose a serious risk to public safety."<sup>25</sup>

Three levels of offenders were established, with levels 1 and 2 to receive "principal attention" when prioritizing the removal of those convicted of crimes.<sup>26</sup> Level 1 offenders were defined as those convicted of an aggregated felony, or two or more felonies, with those convicted of any felon and three or more misdemeanors classified as level 2 offenders.<sup>27</sup> Recent "illegal entrants" were priority two, with fugitives and those "intentionally obstruct immigration controls" priority three.<sup>28</sup>

The establishment of priorities did increase the percentage of deportees with criminal convictions, yet the incumbent use of overall numeric goals—not those tied to particular categories—arguably negated some of the progress sought by removing incentives for officers to pursue those with higher level charges.<sup>29</sup>

### *The End of Secure Communities*

In November 2014, DHS announced that the "Secure Communities program, as we know it, will be discontinued," citing the fact that "the program has attracted a great deal of criticism, is widely misunderstood, and is embroiled in litigation."<sup>30</sup> Most legal challenges to the program focused on the constitutionality of extending the period of detention pursuant to a detainer request and in the absence of probable cause. At the

<sup>19</sup> American Immigration Council, *ICE Releases Memo Outlining Justification for Making Secure Communities Mandatory*, Jan. 13, 2012, <http://immigrationimpact.com/2012/01/13/ice-releases-memo-outlining-justification-for-making-secure-communities-mandatory/>.

<sup>20</sup> Ming H. Chen, *Trust in Immigration Enforcement: State Noncooperation and Sanctuary Cities After Secure Communities*, 91 Chi.-Kent L. Rev. 13, 23 (2016).

<sup>21</sup> Consolidated Appropriations Act of 2008, Pub. L. No. 110-61 (2007), 121 Stat. 1844.

<sup>22</sup> Congressional Research Service, *Interior Immigration Enforcement: Criminal Alien Program 9* (Sept. 2016), R44267, available at <https://fas.org/sgp/crs/homsec/R44267.pdf>.

<sup>23</sup> U.S. Immigration and Customs Enforcement, *Fiscal Year 2016 ICE Enforcement and Removal Operations Report 4* (Dec. 2016), available at <https://www.ice.gov/sites/default/files/documents/Report/2016/removal-stats-2016.pdf>.

<sup>24</sup> U.S. Immigration and Customs Enforcement, Memorandum regarding Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens, Mar. 2, 2011, available at <https://www.ice.gov/doclib/news/releases/2011/110302washingtondc.pdf>.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

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

<sup>28</sup> *Id.*

<sup>29</sup> American Immigration Council, *supra* note 19.

<sup>30</sup> U.S. Department of Homeland Security, Memorandum regarding Secure Communities, Nov. 20, 2014, available at [https://www.dhs.gov/sites/default/files/publications/14\\_1120\\_memo\\_secure\\_communities.pdf](https://www.dhs.gov/sites/default/files/publications/14_1120_memo_secure_communities.pdf).

time of the announcement, then-Secretary Jeh Johnson wrote that, per the recommendation of the Homeland Security Advisory Council Task Force, Secure Communities “must be implemented in a way that supports community policing and sustains the trust of all elements of the community in working with local law enforcement.”<sup>31</sup>

Secure Communities’ replacement, the Priority Enforcement Program (PEP) took effect in July 2015 and primarily differed from its predecessor in two ways: enforcement priorities and policies on the use of detainees.<sup>32</sup> Most significantly, the revised PEP priorities placed a larger emphasis on removing individuals with more serious criminal convictions, repeat offenders, and recent entrants.<sup>33</sup> PEP carried on many of the features of Secure Communities, most notably, that it “continued to rely on fingerprint-based biometric data submitted during booking by state and local law enforcement agencies to the [FBI] for criminal background checks.”<sup>34</sup> It is worth emphasizing that this statement, from no less than the Secretary of Homeland Security, acknowledged both that the federal government is at least partially dependent on products of state and local government resources collected and the products of local resources are shared for a wholly different purpose.<sup>35</sup>

The establishment of new enforcement priorities did somewhat positively impact ICE removals. During fiscal 2016, 83% of removals were classified as priority 1 and 13% as priority 2.<sup>36</sup> However, still only 58% of removed individuals had been convicted of a crime.<sup>37</sup> The fact that more than 70% of removals occurred at the border could account for this discrepancy, as those apprehended at the border attempting to unlawfully enter fall under priority 1.<sup>38</sup> In addition to new enforcement priorities, PEP instructed ICE to replace requests for detention with requests for notification which ask a local authority to notify ICE of a pending release date for individuals still in their custody.<sup>39</sup>

The shift in priorities and detainer policies under PEP has not resulted in decreased resistance by localities—between January 2014 and September 2016, there were 21,205 detainer requests refused by 567 counties, from 48 states and the District of Columbia.<sup>40</sup> During this period, the number of declined detainers dropped dramatically—from 8,542 in fiscal 2015 to 1,970 in fiscal 2016, which ICE attributed to “increased local law enforcement agency cooperation as a result of PEP, and more selective and targeted issuance of detainers that align more closely with prioritized populations.”<sup>41</sup> However, ICE did not release the total number of detainers issued in its annual enforcement and removals operations report, nor did it provide statistics for its increased use of notification requests, making the drop in declined detainers a poor metric by which to judge cooperation with local authorities.

### *City Laws Concerning Detainers*

In response to growing concerns regarding CAP and the presence of ICE agents at DOC facilities, the Council enacted Local Law 62 of 2011 to ensure that DOC’s cooperation with ICE was limited to facilitating the detention and removal of individuals with criminal records, prior immigration violations, or who posed public safety or national security threats.<sup>42</sup> Specifically, the law established guidelines for DOC to follow in determining whether to honor immigration detainers, providing that, among other things, a detainer would not be honored on an individual who had no criminal record.<sup>43</sup> Pursuant to Local Law 62, between March 9 and

<sup>31</sup> *Id.*

<sup>32</sup> U.S. Department of Homeland Security, Memorandum regarding Policies for the Apprehension, Detention and Removal of Undocumented Immigrants, Nov. 20, 2014, available at [https://www.dhs.gov/sites/default/files/publications/14\\_1120\\_memo\\_prosecutorial\\_discretion.pdf](https://www.dhs.gov/sites/default/files/publications/14_1120_memo_prosecutorial_discretion.pdf); U.S. Immigration and Customs Enforcement, *ICE Enforcement and Removal Operations Report – Fiscal Year 2015* 5 (Dec. 2015), available at <https://www.ice.gov/sites/default/files/documents/Report/2016/fy2015removalStats.pdf>.

<sup>33</sup> U.S. Department of Homeland Security, *supra* note 32.

<sup>34</sup> *Id.* at 2.

<sup>35</sup> *Id.*

<sup>36</sup> U.S. Immigration and Customs Enforcement, *supra* note 32, at 3.

<sup>37</sup> *Id.* at 4.

<sup>38</sup> *Id.* at 11; U.S. Department of Homeland Security, *supra* note 32, at 3.

<sup>39</sup> U.S. Department of Homeland Security, *supra* note 30, at 2.

<sup>40</sup> U.S. Immigration and Customs Enforcement, *supra* note 32, at 9.

<sup>41</sup> *Id.*

<sup>42</sup> Int. No. 656, L.L. 62-2011, codified at N.Y.C. Admin. Code § 9-131.

<sup>43</sup> *Id.*

September 20, 2012, DOC did not honor 267 detainers, which accounted for 20% of the detainers received by DOC from ICE.<sup>44</sup>

On May 15, 2012, ICE activated Secure Communities in New York City, resulting in detainers being lodged more quickly against deportable individuals, often while those individuals were still in the custody of the NYPD. Moreover, after the implementation of Local Law 62, research by Council staff, along with advocates and legal practitioners, as well as additional guidance from ICE,<sup>45</sup> led to the conclusion that fewer detainers than originally contemplated by Local Law 62 needed to be honored. To address these concerns, the Council expanded the universe of detainers that could not be honored by the NYPD and DOC by eliminating detainers lodged against those with open misdemeanor cases and those with misdemeanor convictions that were more than ten years old.<sup>46</sup>

Despite these changes, in 2013 DOC held 3,070 people past their scheduled release date to accommodate ICE.<sup>47</sup> Less than .5% of individuals held pursuant to a detainer had a felony conviction, and only 27% had a misdemeanor conviction.<sup>48</sup> Between October 1, 2013 and September 30, 2014, the agency transferred 2,061 individuals to ICE pursuant to an immigration detainer, while NYPD received 2,635 immigration detainers; transferred three individuals to ICE; and did not honor 179 requests.<sup>49</sup>

In 2014, the Council again strengthened its detainer laws in response to the federal government's increased reliance on local authorities to enforce immigration policy by limiting the City's cooperation with federal immigration authorities except where there are public safety concerns. Local Laws 58 and 59 of 2014 provide that DOC and NYPD may not honor a federal detainer request for an individual unless: (1) ICE presents a judicial warrant as to probable cause; and (2) the individual in question has been convicted of a violent or serious felony within the last five years or is a possible match on the terrorist watch list.<sup>50</sup> Additionally, the laws prohibited ICE from maintaining an office at the Rikers Island detention facility in order to enforce civil immigration law.<sup>51</sup>

### ***Recent changes in immigration enforcement priorities***

On January 25, 2017, President Trump issued two Executive Orders addressing immigration enforcement, one focused on enforcement at the southern border and the other on the interior region, which eliminated PEP and brought significant changes to ICE's enforcement priorities, as well as raised the specter of potential cuts in federal funding jurisdictions deemed to be "sanctuary cities."<sup>52</sup>

The Executive Order titled "Border Security and Immigration Enforcement Improvements" provides for the construction of a wall along the southern border of the United States; encourages detaining individuals "on suspicion" of violating the law, including immigration law; and calls for the construction of more immigration detention facilities near the border.<sup>53</sup> Additionally, the order directs DHS to increase use of so-called "287(g)" agreements under which ICE delegates authority to state and local law enforcement agencies in order to allow

<sup>44</sup> N.Y.C. Council Committee on Immigration, Testimony of Lewis Finkelman, First Deputy Commissioner, Department of Correction, Jan. 25, 2013.

<sup>45</sup> On December 21, 2012, ICE issued a new national detainer policy to ensure that ICE's enforcement resources are dedicated to individuals whose removal promotes public safety and national security, among other things. U.S. Immigration and Customs Enforcement, Memorandum regarding Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems, Dec. 21, 2012, available at <http://www.ice.gov/doclib/detention-reform/pdf/detainer-policy.pdf>.

<sup>46</sup> Int. No. 928, L.L. 2013/021, codified at N.Y.C. Admin. Code § 14-154; Int. No. 989, L.L. 2013/022, codified at N.Y.C. Admin. Code § 9-131.

<sup>47</sup> N.Y.C. Department of Corrections, *Summary of Discharges of Inmates with Federal Immigration and Customs Enforcement (ICE) Detainers for Discharges October 1, 2012 – September 30, 2013*, available at [http://www.nyc.gov/html/doc/html/about/ICE\\_Report\\_2013.pdf](http://www.nyc.gov/html/doc/html/about/ICE_Report_2013.pdf).

<sup>48</sup> *Id.*

<sup>49</sup> N.Y.C. Department of Correction, *Summary of Discharges of Inmates with Federal Immigration and Customs Enforcement (ICE) Detainers for Discharges October 1, 2013 – September 30, 2014*, available at [https://www1.nyc.gov/assets/doc/downloads/pdf/ICE\\_report\\_101414.pdf](https://www1.nyc.gov/assets/doc/downloads/pdf/ICE_report_101414.pdf); Information provided by N.Y.P.D.

<sup>50</sup> Int. No. 468, L.L. 2014/058, codified at N.Y.C. Admin. Code § 9-131; Int. No. 487, L.L. 2014/059, codified at N.Y.C. Admin. Code § 14-154.

<sup>51</sup> *Id.*

<sup>52</sup> Exec. Order No. 13767, 82 Fed. Reg. 8793 (Jan. 25, 2017) and Exec. Order No. 13768, 82 Fed. Reg. 8799 (Jan. 25, 2017).

<sup>53</sup> *Id.*

these agencies to perform the functions of immigration officers.<sup>54</sup> Currently, ICE has 287(g) agreements with 38 law enforcement agencies in 16 states.<sup>55</sup>

The Executive Order titled “Enhancing Public Safety in the Interior of the United States,” focused on enforcing immigration actions against the undocumented immigrant population outside of the border regions.<sup>56</sup> The Order includes provisions that defund so-called “sanctuary cities,” direct agencies to use “all lawful means” to enforce immigration laws, and prioritizes removing undocumented immigrants who have:

- been convicted of any criminal offense,
- charged with any criminal offense not resolved,
- abused any public benefits program,
- engaged in willful misrepresentation or fraud with any official matter or application before a governmental agency, or
- who, “in the judgment of an immigration officer,” pose a risk to public safety or national security.<sup>57</sup>

A memorandum by DHS on implementation of the Order now requires use of expedited removal—which expands the discretion of ICE and CBP agents to administratively arrest and deport removable immigrants—effectively passing traditional removal proceedings before an immigration judge entirely.<sup>58</sup> Notably, the expanded use of expedited removal applies to individuals regardless of whether they have criminal history and extends beyond the border into significant areas within interior of the U.S.<sup>59</sup> Previously, ICE and CBP limited the use expedited removal for immigrants apprehended within 100 miles of the border and within two weeks of entering the U.S.<sup>60</sup> Under the order, immigrants may be subject to expedited removal if they are unable to prove, to the satisfaction of the ICE or CBP agent, that they were continuously present in the U.S. for the two years before being apprehended. Importantly, the implementation memorandum makes clear that while ICE is reviving the Secure Communities program, there will no longer be any classes or categories of undocumented immigrants exempt from potential deportation enforcement.<sup>61</sup> Thus, it is questionable whether there are in fact, true enforcement priorities moving forward given the significant increase in discretion afforded to individual ICE and CBP agents.

While both Executive Orders emphasize the potential risks to public safety and national security, claims that immigrants pose a significant and disproportionately higher threat than native-born individuals are inaccurate. Overall, the crime rate in the U.S., particularly for violent crime, has steadily declined since the early 1990s.<sup>62</sup> In general, immigrants, regardless of legal status, are less likely to commit crimes than native-born individuals.<sup>63</sup> A 2015 report by the American Immigration Council found that while the undocumented immigration population tripled from 3.5 million to 11.2 million from 1990 to 2013, the overall violent crime across the country rate fell 48% during that time, while property crime rate fell 41%.<sup>64</sup> In 2007, a paper published from the National Bureau of Economic Research found that immigrants had incarceration rates

<sup>54</sup> *Id.*: 8 U.S.C. § 1357(g).

<sup>55</sup> U.S. Immigration and Customs Enforcement, Delegation of Immigration Authority Section 287(g) Immigration and Nationality Act, <https://www.ice.gov/factsheets/287g> (last accessed Mar. 13, 2017).

<sup>56</sup> Exec. Order No. 13768, 82 Fed. Reg. 8799 (Jan. 25, 2017).

<sup>57</sup> *Id.*

<sup>58</sup> U.S. Department of Homeland Security, Memorandum Implementing the President’s Border Security and Immigration Enforcement Improvements Policies, Feb. 20, 2017, [https://www.dhs.gov/sites/default/files/publications/17\\_0220\\_S1\\_Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf](https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Implementing-the-Presidents-Border-Security-Immigration-Enforcement-Improvement-Policies.pdf).

<sup>59</sup> *Id.* at 5.

<sup>60</sup> Tai Kopan, *DHS memos describe aggressive new immigration, border enforcement policies*, CNN, Feb. 20, 2017, <http://www.cnn.com/2017/02/18/politics/kelly-guidance-on-immigration-and-border-security/index.html>.

<sup>61</sup> *Id.*

<sup>62</sup> Politifact, *Crime and illegal immigration are at decades-long lows, says Barack Obama*, Jul. 28, 2016,

<http://www.politifact.com/truth-o-meter/statements/2016/jul/28/barack-obama/crime-and-illegal-immigration-are-decades-long-low/>.

<sup>63</sup> CATO Institute, *Immigration and Crime – What the Research Says*, Jul. 14, 2015, <https://www.cato.org/blog/immigration-crime-what-research-says>; Julia Dahl, *How big a problem is crime committed by immigrants*, CBS NEWS, Jan. 27, 2017,

<http://www.cbsnews.com/news/illegal-immigrants-and-crime-how-big-a-problem-is-crime-committed-by-immigrants/>.

<sup>64</sup> American Immigration Council, *The Criminalization of Immigration In The United States* 5 (Jul. 2015),

[https://www.americanimmigrationcouncil.org/sites/default/files/research/the\\_criminalization\\_of\\_immigration\\_in\\_the\\_united\\_states.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/the_criminalization_of_immigration_in_the_united_states.pdf).

about one-fifth that of native-born residents.<sup>65</sup> These trends track with a 2010 survey conducted by the American Immigration Council, which found that 1.6% of immigrant males from age 18-39 were incarcerated versus 3.3% of the native-born population of that same demographic.<sup>66</sup>

Further, recent reports demonstrate that sanctuary cities, rather than being more dangerous, are safer and more productive. According to the Center for American Progress and the National Immigration Law Center, from a sample of 2,492 counties taken from an ICE dataset, there were 35.5 fewer violent and property crimes per 10,000 people in sanctuary counties versus non-sanctuary counties.<sup>67</sup> Large metropolitan areas have seen an even greater contrast, with 65.4 fewer crimes per 10,000 people.<sup>68</sup> Sanctuary counties also had better economic conditions. For example, on average, they had higher median incomes, lower poverty rates, and slightly lower rates of unemployment.<sup>69</sup> Other reports also suggest that sanctuary laws actually make cities safer by improving trust between local law enforcement and immigrants and by attracting more immigrants.<sup>70</sup>

## ANALYSIS

### Proposed Int. No. 1558-A (A Local Law in relation to persons not to be detained by DOP)

Section one of Proposed Int. No. 1588-A would add a new section 9-205 to the Code. The new section would require that DOP only honor detainers where ICE presents a judicial warrant with its detainer and if the subject of the detainer is listed on a terrorist database or has been convicted of a “violent or serious crime,” as defined in section 9-131 of the Code, within the last five years, excluding any incarceration that occurred as a result of that conviction. Neither youthful offender adjudications pursuant to New York Criminal Procedure Law § 720.20 nor juvenile delinquency adjudications pursuant to New York Family Court Act § 301.2 would be considered a serious or violent crime. The new section makes clear that DOP would not have any new authority to hold individuals pursuant to a detainer.

The proposed local law supersedes all conflicting policies, rules, procedures, and practices of the City and would not create a conflict with any applicable law. Further, nothing in the law would create a private right of action.

The annual reporting requirements relating to detainers currently applicable to DOC and NYPD, as well as those proposed in Proposed Int. No. 1568-A, would be applied to DOP. The report would need to contain:

- the number of detainers received;
- the number of persons held pursuant to a detainers;
- the number of persons transferred to the ICE custody pursuant to a detainer;
- the number of persons for whom a detainer was not honored; and
- the number of requests from ICE concerning a person’s incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or any other information related to such person, and the number of responses honoring such requests. These requests would be disaggregated by:
  - the number of responses regarding a person with no convictions for a violent or serious crime, disaggregated by the number of responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether DOP facilitated their transfer to ICE custody;

<sup>65</sup> The National Bureau of Economic Research, *Why are Immigrants’ Incarceration Rates so Low? Evidence on Selective Immigration, Deterrence, and Deportation* (Jul. 2007), available at <http://www.nber.org/papers/w13229>.

<sup>66</sup> American Immigration Council, *supra* note 62, at 6.

<sup>67</sup> Center for American Progress, *The Effects of Sanctuary Policies on Crime and the Economy* (Jan. 2017), available at <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy/>.

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> Josh Harkinson, *Actually, Sanctuary Cities Are Safer*, MOTHER JONES, Jul. 10, 2015, available at <http://www.motherjones.com/politics/2015/07/sanctuary-cities-public-safety-kate-steinle-san-francisco>.

- the number of responses regarding a person with at least one conviction for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether DOP facilitated their transfer to ICE custody; and
- the number of responses regarding a person with no convictions for a violent or serious crime who were identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether DOP facilitated their transfer to ICE custody.

The first report would be due on September 1, 2018. Additionally, DOP would be required to publish its policy regarding requests for information from ICE on its website within 90 days of the law taking effect.

Section two states that the local law would take effect immediately, however, DOP would have 60 days to prepare to collect information for the required detainer report.

**Proposed Int. No. 1568-A (A Local Law in relation to immigration enforcement)**

Section one of Proposed Int. No. 1568-A adds a new section 10-178 to the Code regarding immigration enforcement. Subdivision a would define “immigration enforcement” as the enforcement of any civil provision of the INA or any provision of the Act that penalizes a person’s presence in, entry into, or reentry into the U.S. “City property” would be defined as any real property leased or owned by the City that is under the City’s control and serves a City governmental purpose.

Subdivision b would prohibit City agencies from subjecting their officers or employees to the direction and supervision of the Secretary of Homeland Security primarily in furtherance of federal immigration enforcement, such as in 287(g) programs.

Subdivision c prohibits the use of City resources for immigration enforcement. For example, time spent while on duty and the use of City property for such efforts would be prohibited, as well as the use of information obtained or accessed on behalf of the City.

Subdivision d would require that any requests from a non-local law enforcement agency for support or assistance intended to further immigration enforcement be recorded, along with any response. The City would report an anonymized compilation of such requests and responses to the Speaker quarterly. The reports would not need to include disclosures that: (1) would interfere with a law enforcement investigation or (2) are related to actions taken pursuant to permissible cooperative arrangements described in new subdivision e and would compromise public safety. The quarterly reports would not include detainer requests or requests for information, as those requests will be reported pursuant to other sections of the Code.

Subdivision e states that nothing in the new section would prohibit City officers and employees from performing their duties in accordance with state and local law. This provision ensures, for example, that the proposed local law does not limit the ability of law enforcement to respond to threats to public safety by exercising their powers to enforce state and local laws. Thus, City officers and employees will not be prohibited from participating in cooperative arrangements with law enforcement agencies that are not primarily intended to further immigration enforcement—including the Joint Terrorism Task Force or task forces focused on combatting trafficking, guns, or gangs—or from taking actions consistent with the City’s detainer laws. In addition, nothing in the new section would prevent any City officer or employee from complying with federal law or restrict their discretion to take any action if such restriction is prohibited by federal law, including relevant provisions of the INA.

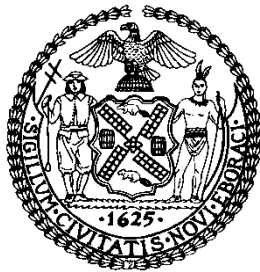
Sections two and three would update the reporting requirements within the City’s detainer laws to cover requests for information from ICE. DOC and NYPD would be required to annually report on such requests concerning a person’s incarceration status, release dates, court appearance dates, or any other information related to such person, and the number of responses honoring such requests. These requests would be disaggregated by:

- the number of responses regarding a person with no convictions for a violent or serious crime, disaggregated by the number of responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the agency facilitated their transfer to ICE custody;
- the number of responses regarding a person with at least one conviction for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the agency facilitated their transfer to ICE custody; and
- the number of responses regarding a person with no convictions for a violent or serious crime who were identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether agency facilitated their transfer to ICE custody.

The first report would be due on September 1, 2018.

Section three states that the local law would take effect in 60 days.

(The following is the text of the Fiscal Impact Statement for Int. No. 1558-A:)



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

**PROPOSED INTRO. NO:** 1558-A  
**COMMITTEE:** Immigration

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the department of probation.

**SPONSORS:** The Speaker (Council Member Mark-Viverito) and Council Members Ferreras-Copeland, Levin, Kallos, Dromm, Menchaca, Chin and Gibson

**SUMMARY OF LEGISLATION:** Proposed Intro. 1558-A would limit the Department of Probation (DOP) from honoring civil immigration detainees under the same restrictions that apply to the Department of Correction. The legislation would establish that DOP may only honor a civil immigration detainer by holding a person under the following circumstances: if federal immigration authorities present DOP with a judicial warrant for the detention of the person who is the subject of such civil immigration detainer at the time the detainer is presented; and if a search of state and federal databases indicates, or if the Department has been informed by a court or any other governmental entity, that such person has been convicted of a violent or serious crime, or is identified as a possible match in the terrorist screening database.

This bill would also require the Department to post a report on its website on the number of detainer requests and whether or not they were honored, as well as requests for information and any responses, no later than September 1, 2018, and no later than September 1 of each year thereafter, for the preceding 12-month period ending June 30. Finally, the Department would also be required to publish on its website its policy regarding requests for information from federal immigration authorities.

**EFFECTIVE DATE:** This local law would take effect immediately, except that a provision requiring the Department of Probation to publish its policies would take effect 90 days after it becomes law, and information

newly required to be reported would be reported only for periods beginning 60 days after the local law takes effect.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because existing resources would be used to implement the legislation. The Department of Probation already does not confer with federal immigration authorities. Individuals are only detained when they are in violation of probation, and not for any immigration related reasons.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division  
Department of Probation

**ESTIMATE PREPARED BY:** Jin Lee, Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
Cirilhen Francisco, Unit Head  
Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 25, 2017 as Intro. No. 1558 and referred to the Committee on Immigration (Committee). A hearing was held jointly by the Committee with the Committees on Education and Public Safety on April 26, 2017 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1558-A, will be voted on by the Committee at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1558-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 27, 2017.

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

**(The following is the text of Int. No. 1558-A:)**

Int. No. 1558-A

By The Speaker (Council Member Mark-Viverito) and Council Members Ferreras-Copeland, Levin, Kallos, Dromm, Menchaca, Chin, Gibson, Koo and Espinal.

**A Local Law to amend the administrative code of the city of New York, in relation to persons not to be detained by the department of probation**



*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-205 to read as follows:

*§ 9-205 Persons not to be detained.*

*a. For the purposes of this section, all terms shall have the same meanings as set forth in section 9-131, except that the term “department” means department of probation.*

*b. The department may only honor a civil immigration detainer by holding a person if:*

*1. federal immigration authorities present the department with a judicial warrant for the detention of the person who is the subject of such civil immigration detainer at the time such civil immigration detainer is presented; and*

*2. a search of state and federal databases, or any similar or successor databases, accessed through the New York state division of criminal justice services e-JusticeNY computer application, or any similar or successor computer application maintained by the city or state of New York, indicates, or the department has been informed by a court or any other governmental entity, that such person:*

*(a) has been convicted of a violent or serious crime, or*

*(b) is identified as a possible match in the terrorist screening database.*

*c. No conferral of authority. Nothing in this section shall be construed to confer any authority on any entity to hold persons on civil immigration detainers beyond the authority, if any, that existed prior to the enactment of this section.*

*d. No conflict with existing law. This section supersedes all conflicting policies, rules, procedures and practices of the city. Nothing in this section shall be interpreted or applied so as to create any power, duty or obligation in conflict with any applicable law.*

*e. No private right of action. Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city or the department, or any official or employee thereof.*

*f. Reporting. No later than September 1, 2018, and no later than September 1 of each year thereafter, the department shall post a report on its website that includes the following information for the preceding 12-month period ending June 30:*

*1. the number of civil immigration detainees received from federal immigration authorities;*

*2. the number of persons held pursuant to civil immigration detainees;*

*3. the number of persons transferred to the custody of federal immigration authorities pursuant to civil immigration detainees;*

*4. the number of persons for whom civil immigration detainees were not honored; and*

*5. the number of requests from federal immigration authorities concerning a person’s incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or any other information related to such person, and the number of responses honoring such requests, disaggregated by:*

*i. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities;*

*ii. the number of responses to federal immigration authorities concerning a person with at least one conviction for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities; and*

*iii. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime who were identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, scheduled appointment dates or times, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities.*

*g. Publication of policy required. The department shall publish on its website its policy regarding requests for information from federal immigration authorities.*

§ 2. This local law takes effect immediately, provided that subdivision g of section 9-205 of the administrative code of the city of New York, as added by section one of this local law, takes effect 90 days after it becomes law, and provided further that information newly required to be reported by subdivision f of section 9-205 of the administrative code of the city of New York, as added by section one of this local law, shall be required to be reported only for periods beginning 60 days after the effective date of this local law.

CARLOS MENCHACA, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, PETER A. KOO, RAFAEL L. ESPINAL, Jr.; Committee on Immigration, October 30, 2017.

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

Report for Int. No. 1568-A

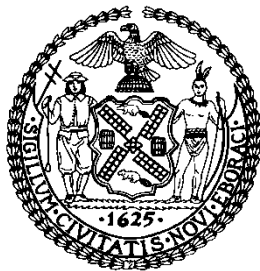
**Report of the Committee on Immigration in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to immigration enforcement.**

The Committee on Immigration, to which the annexed proposed amended local law was referred on April 25, 2017 (Minutes, page 1142), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Immigration for Int. No. 1558-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 1568-A:*



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

PROPOSED INTRO. NO: 1568-A  
COMMITTEE: Immigration

**TITLE:** A Local Law in relation to access to immigration enforcement.

**SPONSORS:** Council Members Espinal, Johnson, the Speaker (Council Member Mark-Viverito), Levin, Kallos and Menchaca

**SUMMARY OF LEGISLATION:** Proposed Intro. 1568-A would prohibit City agencies from partnering with the U.S. Department of Homeland Security to enforce federal immigration law, including through 287(g) agreements. The bill would additionally prohibit the use of City resources (including but not limited to time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property) to support the enforcement of civil immigration laws that penalize an individual's presence, entry, or reentry into

the United States. This bill would also ban City employees from using information obtained on behalf of the City to support such immigration enforcement. The bill would also require any requests for assistance by federal immigration enforcement agencies to be documented and later compiled into an anonymized report sent quarterly to the Council. The reports shall be submitted no later than September 1, 2018, and no later than September 1 of each year thereafter with data for the prior twelve month period ending June 30. Finally, the bill would establish that the City is not restricted from participating in cooperative agreements with federal officials, so long as such agreements are not primarily intended to further immigration enforcement.

**EFFECTIVE DATE:** This local law would take effect in 60 days, provided that the information newly required to be reported by subdivision d of section 10-178, paragraph 9 of subdivision f of section 9-131, and paragraph 5 of subdivision f of section 14-154, as added by this local law, would only be required to be reported for periods beginning on the effective date of this local law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that there would be no impact on revenues as a result of this legislation.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because existing resources would be used to implement the legislation.

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

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

**ESTIMATE PREPARED BY:** Jin Lee, Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
 Crilhien Francisco, Unit Head  
 Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 25, 2017 as Intro. No. 1568 and was referred to the Committee on Immigration (Committee). A hearing was held jointly by the Committee with the Committees on Education and Public Safety on April 26, 2017, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1568-A, will be voted on by the Committee at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1568-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 30, 2017.

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

**(The following is the text of Int. No. 1568-A:)**

## Int. No. 1568-A

By Council Members Espinal, Johnson, The Speaker (Council Member Mark-Viverito), Levin, Kallos, Menchaca and Koo.

**A Local Law to amend the administrative code of the city of New York, in relation to immigration enforcement**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-178 to read as follows:

*§ 10-178 Immigration enforcement. a. Definitions. As used in this section, the following terms have the following meanings:*

*City property. The term “city property” means any real property leased or owned by the city that serves a city governmental purpose and over which the city has operational control.*

*Immigration enforcement. The term “immigration enforcement” means the enforcement of any civil provision of the immigration and nationality act and any provision of such law that penalizes a person’s presence in, entry into, or reentry into the United States.*

*b. No agency shall subject its officers or employees to the direction and supervision of the secretary of homeland security primarily in furtherance of immigration enforcement.*

*c. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for immigration enforcement.*

*d. Whenever any city officer or employee receives a request from a non-local law enforcement agency for the city to provide support or assistance intended to further immigration enforcement, such officer or employee’s agency shall make a record relating to such request, including any response or actions taken in response. An office of the mayor, or an agency the head of which is appointed by the mayor, shall be designated by the mayor to submit to the speaker of the council a quarterly report containing an anonymized compilation or summary of such requests and actions taken in response, disaggregated by the requesting non-local law enforcement agency and the agency receiving such a request; provided, however, disclosure of any such information shall not be required if: (i) such disclosure would interfere with law enforcement investigations or (ii) such disclosure is related to actions taken pursuant to clause (i) of subdivision e of this section and would compromise public safety. Such report shall not be required to include information contained in reports required pursuant to section 9-131, 9-205, or 14-154.*

*e. Nothing in this section shall prohibit city officers and employees from performing their duties in accordance with state and local law by, including, but not limited to: (i) participating in cooperative arrangements with city, state, or federal law enforcement agencies that are not primarily intended to further immigration enforcement or utilizing city resources in connection with such cooperative arrangements and (ii) taking actions consistent with sections 9-205, 9-131, and 14-154. In addition, nothing in this section shall prevent any city officer or employee from complying with federal law or restrict their discretion to take any action if such restriction is prohibited by federal law.*

§ 2. Subdivision f of section 9-131 of the administrative code of the city of New York, as amended by local law number 58 for the year 2014, is amended to read as follows:

*f. Reporting. No later than [October 15, 2015] September 1, 2018 and no later than [October fifteenth] September 1 of each year thereafter, the department shall post a report on the department website that includes the following information for the preceding twelve month period ending [September thirtieth] June 30:*

*1. the total number of civil immigration detainees lodged with the department, disaggregated to the extent possible by the reason given by federal immigration authorities for issuing detainees, including, but not limited to, that federal immigration authorities:*

*i. had reason to believe that the persons in the department's custody are subject to removal from the United*

States;

ii. initiated removal proceedings and served a notice to appear or other charging document on persons in the department's custody;

iii. served a warrant of arrest for removal proceedings on persons in the department's custody; or

iv. obtained orders of deportation or removal from the United States for persons in the department's custody;

2. the number of persons held pursuant to civil immigration detainers beyond the time when such person would otherwise be released from the department's custody, disaggregated to the extent possible by the reason given by federal immigration authorities for issuing the detainers, including, but not limited to, that federal immigration authorities:

i. had reason to believe that the persons in the department's custody are subject to removal from the United States;

ii. initiated removal proceedings and served a notice to appear or other charging document on persons in the department's custody;

iii. served a warrant of arrest for removal proceedings on persons in the department's custody; or

iv. obtained orders of deportation or removal from the United States for persons in the department's custody;

3. the number of persons transferred to the custody of federal immigration authorities pursuant to civil immigration detainers;

4. the number of persons transferred to the custody of federal immigration authorities pursuant to civil immigration detainers who had at least one conviction for a violent or serious crime;

5. the number of persons transferred to the custody of federal immigration authorities pursuant to civil immigration detainers who had no convictions for a violent or serious crime and were identified as possible matches in the terrorist screening database;

6. the amount of state criminal alien assistance funding requested and received from the federal government;

7. the number of persons for whom civil immigration detainers were not honored pursuant to subdivision b of this section; [and]

8. the number of persons held pursuant to civil immigration detainers beyond the time when such persons would otherwise have been released from the department's custody who were not transferred to the custody of federal immigration authorities either because of the expiration of the forty-eight-hour hold period provided in 8 C.F.R. § 287.7 or because federal immigration authorities disavowed an intention to assume custody[.]; and

9. *the number of requests from federal immigration authorities concerning a person's incarceration status, release dates, court appearance dates, or any other information related to such person in the department's custody, and the number of responses honoring such requests by the department, disaggregated by:*

*i. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities;*

*ii. the number of responses to federal immigration authorities concerning a person with at least one conviction for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities; and*

*iii. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime who was identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities.*

§ 3. Subdivision f of section 14-154 of the administrative code of the city of New York, as amended by local law number 59 for the year 2014, is amended to read as follows:

f. Reporting. No later than [October 15, 2015] *September 1, 2018*, and no later than [October fifteenth] *September 1* of each year thereafter, the department shall post a report on the department website that includes

the following information for the preceding twelve month period ending [September thirtieth] *June 30*:

1. the number of civil immigration detainees received from federal immigration authorities;
2. the number of persons held pursuant to civil immigration detainees beyond the time when such person would otherwise be released from the department's custody;
3. the number of persons transferred to the custody of federal immigration authorities pursuant to civil immigration detainees; [and]
4. the number of persons for whom civil immigration detainees were not honored pursuant to subdivision b of this section[.]; *and*
5. *the number of requests from federal immigration authorities for such person's incarceration status, release dates, court appearance dates, or any other information related to such person in the department's custody, and the number of responses honoring such requests by the department, disaggregated by:*
  - i. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities;*
  - ii. the number of responses to federal immigration authorities where the person had at least one conviction for a violent or serious crime, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities; and*
  - iii. the number of responses to federal immigration authorities concerning a person with no convictions for a violent or serious crime who was identified as a possible match in the terrorist screening database, disaggregated by the number of such responses that included incarceration status, release dates, court appearance dates, or other types of information, and whether the department facilitated the transfer of such persons to the custody of federal immigration authorities.*

§ 4. This local law takes effect 60 days after it becomes law, provided that information newly required to be reported by subdivision d of section 10-178, paragraph 9 of subdivision f of section 9-131, and paragraph 5 of subdivision f of section 14-154 of the administrative code of the city of New York, as added by sections one, two, and three of this local law respectively, shall be required to be reported only for periods beginning on the effective date of this local law.

CARLOS MENCHACA, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, PETER A. KOO, RAFAEL L. ESPINAL, Jr.; Committee on Immigration, October 30, 2017.

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

### **Report of the Committee on Land Use**

Report for Int. No. 1685

**Report of the Committee on Land Use in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to exempting certain government entities from pre-application requirements for zoning text amendments.**

The Committee on Land Use, to which the annexed proposed local law was referred on August 24, 2017 (Minutes, page 2963), respectfully

**REPORTS:**

## I. INTRODUCTION

On October 31, 2017, the Committee on Land Use will consider Introduction No. 1685, A Local Law to amend the administrative code of the city of New York, in relation to exempting certain government entities from pre-application requirements for zoning text amendments. The Committee held a hearing on the bill on October 26, 2017. Representatives of the Department of City Planning (DCP), the Manhattan Borough President, and the Real Estate Board of New York provided testimony.

## II. BACKGROUND INTRODUCTION NO. 1685

The rules of the Department of City Planning (DCP) provide that an applicant must follow a pre-application process prior to filing a land use application.<sup>1</sup> The purpose of the process is to “help the Department better allocate resources.”<sup>2</sup> The rules provide a measure of certainty to potential applicants by placing deadlines on DCP responses to applicant submissions. However, the codification of the deadlines can prevent a potential applicant from filing for months or even years, even when the applicant is sophisticated in matters related to land use, zoning, and environmental impact analysis.

The pre-application process includes, at minimum, a mandatory informational meeting, the issuance of an ID number and the filing of a pre-application statement (PAS). Even with these minimal steps, the rules allow DCP 95 days to authorize the applicant to file its application.<sup>3</sup> The rules provide that when an application requires an interdivisional meeting, is SEQR Type I, and requires a draft application submission, DCP has 360 additional days to authorize the filing of the land use application.<sup>4</sup> DCP can further extend the time to file at each step of pre-application process if it determines that the applicant must provide additional information or attend additional meetings.<sup>5</sup> Because DCP has unlimited opportunities to request additional information, DCP can, in theory, prevent an applicant from filing for years.

Such delays can prevent elected officials specifically authorized to file land use applications from taking swift action to on pressing land use issues

Introduction 1685 would authorize the mayor and mayoral agencies, borough presidents, and the Land Use Committee of the City Council upon a two-thirds vote of its members, to file an application for a zoning text amendment, other than an application for changes in the designation of zoning districts. These government entities are sophisticated in land use application procedures and have full-time land use planning and legal staffs. The bill would not compel the City Planning Commission (CPC) to refer the application out to the affected community board and borough president. However, pursuant to section 197-c of the Charter and the rules promulgated by the CPC, if, within six months of filing, CPC does not certify the application, the applicant could appeal for certification.<sup>6</sup>

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<sup>1</sup> 62 RCNY § 10-01.

<sup>2</sup> 62 RCNY § 10-01.

<sup>3</sup> 62 RCNY §§ 10-03(b) (authorizing DCP to wait as long as 45 days from first contact from a prospective applicant to schedule an informational meeting), 10-03(d) (authorizing DCP to take up to 30 days to issue a Project ID from the date of the applicant’s request) and 10-04(b) (authorizing DCP to take up to 20 days to provide a return receipt by email after receiving a pre-application statement).

<sup>4</sup> 62 RCNY §§ 10-05(a) (requiring DCP to hold an interdivisional meeting within 90 days of notifying that an applicant that such meeting is required), 10-05(b) (requiring that within 90 days of the interdivisional meeting, DCP must notify the applicant whether it has received sufficient information such that it can proceed to filing a reasonable worst case development scenario (RWCDS) memorandum), 10-06(b) (requiring DCP to review the RSCDS memorandum within 90 days of receiving such memorandum and notify whether the applicant may proceed to submitting a draft CEQR short/full form and whether the applicant must file a draft application), and 10-07(b) (requiring that within 90 days of receiving a draft land use application DCP review such application and notify the applicant whether it is sufficiently complete that the applicant may proceed to filing a land use application).

<sup>5</sup> 62 RCNY §§ 10-03 – 10-08.

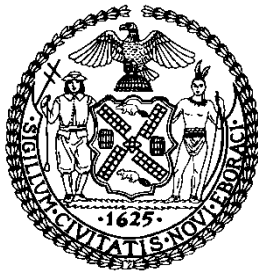
<sup>6</sup> Charter § 197-c (b) (providing that if the CPC fails to certify an application as complete within six months, the affected borough president may appeal to the CPC to certify its completeness); 62 RCNY § 2-02(c) (providing that applications for changes in the ZR pursuant to Charter § 201 shall be subject to the application and certification procedure of § 2-02(a) hereof and shall be referred pursuant to § 2-02(b)); 62 RCNY § 2-02(a)(4) (providing that

**III. ANALYSIS OF LEGISLATION**

Section 1 of introduction No. 1685 would amend Chapter 1 of Title 25 of the Administrative Code by adding a new section 25-115. Such section would provide that an application for changes in the Zoning Resolution pursuant to section 200 of the Charter, other than changes in the designation of zoning districts, may be filed with the Department of City Planning and shall, at the applicant’s election, be exempt from the pre-application requirements of Chapter 10 of Title 62 of the Rules of the City of New York, if at least one of the applicants is a borough president, the mayor, or the Land Use Committee of the Council if two-thirds of the such committee have voted to approve such filing.

Bill section 2 would provide that this local law becomes effective immediately

**(The following is the text of the Fiscal Impact Statement for Int. No. 1685:)**



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

**INTRO. NO. 1685**

**COMMITTEE: LAND USE**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to exempting certain government entities from pre-application requirements for zoning text amendments

**SPONSORS:** Council Members Chin, Gentile, Kallos, Johnson and Espinal

**SUMMARY OF LEGISLATION:** Intro. No. 1685 would allow borough presidents, mayoral agencies and the Land Use Committee of the Council (if two-thirds of the Committee’s members approve) to file applications for zoning text amendments other than changes to zoning districts without filing a pre-application statement.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	Effective FY18	FY Succeeding Effective FY19	Full Fiscal Impact FY19
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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



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

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

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

**ESTIMATE PREPARED BY:** Jonathan K. Seltzer, Financial Analyst

**ESTIMATE REVIEWED BY:** Eric Bernstein, Counsel, Finance Division  
Nathan Toth, Deputy Director, Finance Division  
Cirilhen Francisco, Unit Head, Finance Division

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council on August 24, 2017 as Intro. No. 1685, and was referred to the Committee on Land Use (Committee). The Committee will consider Intro. No. 1685 at a hearing on October 31, 2017. Upon a successful vote by the Committee, Intro. No. 1685 will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 26, 2017.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Int. No. 1685:)**

Int. No. 1685

By Council Members Chin, Gentile, Kallos, Johnson, Espinal, Lander, Mealy, Richards and Vacca.

**A Local Law to amend the administrative code of the city of New York, in relation to exempting certain government entities from pre-application requirements for zoning text amendments**

*Be it enacted by the Council as follows:* Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-115, to read as follows:

*§ 25-115 Pre-application process exemptions. a. An application for changes in the zoning resolution pursuant to section 200 of the charter, other than changes in the designation of zoning districts, may be filed with the department of city planning and shall, at the applicant's election, be exempt from the pre-application requirements of chapter 10 of title 62 of the rules of the city of New York, if at least one of the applicants is a borough president, the mayor or the land use committee of the council if two-thirds of the members of such committee shall have voted to approve such filing.*

§ 2. This local law becomes effective immediately.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 31, 2017. *Other Council Members Attending: Council Member Chin.*

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 LU No. 759

**Report of the Committee on Land Use in favor of approving Application No. C 160174 ZSR submitted by Josif A LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet within a proposed multi-building commercial development on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District, Borough of Staten Island, Community District 1. Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

The Committee on Land Use, to which the annexed Land Use item was referred on September 27, 2017 (Minutes, page 3372) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**STATEN ISLAND CB - 1**

**C 160174 ZSR**

City Planning Commission decision approving an application submitted by Josif A LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet within a proposed multi-building commercial development with a total floor area of approximately 219,377 square feet on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District.

#### **INTENT**

To approve the proposed Special Permit, pursuant to §74-922 of the ZR, which in conjunction with its related action would facilitate a new 219,377 square foot retail development on a 28.3 acre site located in Mariner's Harbor in Staten Island Community District 1.

#### **PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Six

**Witnesses Against:** Eight

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 31, 2017

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

Commission.

**In Favor:**

Richards, Gentile, Garodnick, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 31, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Cohen, Kallos, Torres, Treyger, Grodenchik, Salamanca.

**Against:**

Barron

**Abstain:**

None

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

Res. No. 1701

**Resolution approving the decision of the City Planning Commission on ULURP No. C 160174 ZSR (L.U. No. 759), for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution of the City of New York to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District, Community District 1, Borough of Staten Island.**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 12, 2017 its decision dated September 6, 2017 (the "Decision"), on the application submitted by Josif A LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution of the City of New York to allow large retail establishments (Use Group 6 and/or 10A uses) greater than 10,000 square feet on a 28.3 acre site located in the Mariner's Harbor section of Staten Island. This action, in conjunction with the related action, would facilitate a new 219,377 square foot retail development on property located at 534 South Avenue (Block 1707, Lots 1 and 5), in an M1-1 District, (ULURP No. C 160174 ZSR), Community District 1, Borough of Staten Island (the "Application");

**WHEREAS**, the Application is related to application C 150359 MMR (L.U. No. 760), an amendment to the City Map involving the establishment of North Morrow Street; the elimination, discontinuance and closing of a portion of Morrow Street; and the elimination of Albany Avenue, Amador Street and Garrick Street;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-922 of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 10, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 25, 2017 (CEQR No. 17DCP030R), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

**RESOLVED:**

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 this report, C 160174 ZSR, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 160174 ZSR) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Rampulla Associates Architects, LLP. filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
CPC-002.00	Zoning Analysis Sheet	4/26/17
CPC-003.00	Proposed Site Plan	5/25/17
CPC-003A.00	Proposed Partial Site Plan	4/26/17
CPC-003B.00	Proposed Partial Site Plan	4/26/17
CPC-003C.00	Proposed Partial Site Plan	4/26/17
CPC-003D.00	Proposed Partial Site Plan	4/26/17

CPC-004.00

Site Sections

5/25/17

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 31, 2017.  
*Other Council Members Attending: Council Member Chin.*

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. 760

**Report of the Committee on Land Use in favor of approving Application No. C 150359 MMR submitted by Josif A LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map including authorization for any acquisition or disposition of real property related thereto, Borough of Staten Island, Community District 1, Council District 49. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

The Committee on Land Use, to which the annexed Land Use item was referred on September 27, 2017 (Minutes, page 3372) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**STATEN ISLAND CB - 1**

**C 150359 MMR**

City Planning Commission decision approving an application submitted by Josif A LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the establishment of North Morrow Street (formally Morrow Street) from Forest Avenue to a point 437 feet south; and
- the elimination, discontinuance and closing of a portion of Morrow Street between Amador Street and a point 286 feet north; and
- the elimination of Albany Avenue between Goethals Road North and Amador Street; and
- the elimination of Amador Street between Morrow Street and South Avenue; and
- the elimination of Garrick Street between Goethals Road North and Wemple Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4243 dated December 5, 2016 and signed by the Borough President.

**INTENT**

To approve the proposed amendment to the City Map, which in conjunction with its related action would facilitate a new 219,377 square foot retail development on a 28.3 acre site located in Mariner's Harbor in Staten Island Community District 1.

**PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Six

**Witnesses Against:** Eight

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 31, 2017

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

**In Favor:**

Richards, Gentile, Garodnick, Williams, Reynoso, Torres, Grodenchik.

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

**COMMITTEE ACTION**

**DATE:** October 31, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Cohen, Kallos, Torres, Treyger, Grodenchik, Salamanca.

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

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

Res. No. 1702

**Resolution approving the decision of the City Planning Commission on ULURP No. C 150359 MMR, an amendment to the City Map (L.U. No. 760).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the City Planning Commission filed with the Council on September 12, 2017 its decision dated September 6, 2017 (the "Decision"), on the application submitted by Josif A LLC, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the establishment of North Morrow Street (formally Morrow Street) from Forest Avenue to a point 437 feet south; and
- the elimination, discontinuance and closing of a portion of Morrow Street between Amador Street and a point 286 feet north; and
- the elimination of Albany Avenue between Goethals Road North and Amador Street; and
- the elimination of Amador Street between Morrow Street and South Avenue; and
- the elimination of Garrick Street between Goethals Road North and Wemple Street; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4243 dated December 5, 2016 and signed by the Borough President, (ULURP No. C 150359 MMR), Community District 1, Borough of Staten Island (the "Application");

**WHEREAS**, the Application is related to application C 160174 ZSR (L.U. No. 759), a Special Permit to permit retail establishments over 10,000 square feet;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 10, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on August 25, 2017 (CEQR No. 17DCP030R), which identified significant adverse impacts with respect to historic and cultural resources – archaeological resources, transportation (traffic, buses, subways, and pedestrians) and construction activities related to noise;

**RESOLVED:**

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 150359 MMR, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the establishment of North Morrow Street (formally Morrow Street) from Forest Avenue to a point 437 feet south; and
- the elimination, discontinuance and closing of a portion of Morrow Street between Amador Street and a point 286 feet north; and
- the elimination of Albany Avenue between Goethals Road North and Amador Street; and
- the elimination of Amador Street between Morrow Street and South Avenue; and
- the elimination of Garrick Street between Goethals Road North and Wemple Street; and
- the adjustment of grades necessitated thereby;



including authorization for any acquisition or disposition of real property related thereto, in Community District 1, Borough of Staten Island, in accordance with Map No. 4243 dated December 5, 2016 and signed by the Borough President is approved; and be it further

**RESOLVED** that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

**RESOLVED** that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. 4243 dated December 5, 2016 providing for the discontinuance and closing of a portion of Morrow Street between Amador Street and a point 286 feet north more particularly described as follows:

**DISCONTINUING AND CLOSING A PORTION OF MORROW STREET BETWEEN AMADOR STREET AND A POINT 286 FEET NORTH**

Starting at the point of intersection of the southerly line of Forest Avenue and the westerly line of North Morrow Street, thence southerly for a distance of 458.28 feet along the westerly line of North Morrow Street to the point of place or beginning;

1. THENCE running easterly a distance 20.00 feet along a line that forms a deflection angle to the left of 90 degrees, with the previous course, to a point;
2. THENCE running northerly a distance 21.51 feet along a line that forms a deflection angle to the left of 90 degrees, with the previous course, to a point;
3. THENCE running easterly a distance of 25.52 feet along a line that forms a deflection angle to the right of 90 degrees, with the previous course, to a point of curvature;
4. THENCE running along a curve to the left with a Radius 45.40 feet, a Delta Angle 32-42-47, and an Arc Length 25.92 feet to a point on the easterly record line of Morrow Street;
5. THENCE running southerly along the said easterly record line of the said Morrow Street a distance of 287.35 feet to a point;
6. THENCE running northwesterly a distance of 98.81 feet along a line that forms an interior deflection angle to the right of 45 degrees 6 minutes and 17 seconds, with the previous course to a point on the westerly record line of Morrow Street;
7. THENCE running northerly along the said westerly record line of Morrow Street a distance of 188.71 feet to the point or place of BEGINNING.

The above described parcel has an area 16784.53 square feet or 0.39 acres; and be it further

**RESOLVED** that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein that are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein;

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which

certified counterparts of Map No. 4243 dated December 2, 2016 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and

- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission; and
- c. The subject street to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 31, 2017.  
*Other Council Members Attending: Council Member Chin.*

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. 761

**Report of the Committee on Land Use in favor of approving Application No. C 150278 ZMK submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b, changing from an M3-1 District to R7A/C2-4, R7D/C2-4, and R8A/C2-4 Districts property located in the vicinity of Flushing Avenue and Union Avenue, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 27, 2017 (Minutes, page 3373) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 1**

**C 150278 ZMK**

City Planning Commission decision approving an application submitted by Harrison Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13b:

#### **INTENT**

To approve an amendment to the Zoning Map, which in conjunction with the related action would facilitate the development of eight mixed use buildings, containing approximately 1,146 dwelling units, of

which 287 units, or 25 percent of the residential floor area, would be set aside for permanently affordable housing; 62,810 square feet of ground floor retail; 404 accessory parking spaces; and 26,000 square feet of public open space in the South Williamsburg neighborhood of Brooklyn.

**PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Ten

**Witnesses Against:** Seven

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Reynoso, Torres, Grodenchik,

**Against:**

Williams

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Williams, Palma, Reynoso, Garodnick, Barron, Mealy, Rodriguez, Koo, Lander, Levin, Rose, Richards, Cohen, Kallos, Torres, Treyger, Grodenchik, Salamanca.

**Against:**

Mendez

**Abstain:**

None

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

Res. No. 1703

**Resolution approving the decision of the City Planning Commission on ULURP No. C 150278 ZMK, a Zoning Map amendment (L.U. No. 761).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 19, 2017 its decision dated September 19, 2017 (the "Decision"), on the application submitted by Harrison Realty, LLC,

pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 13b, changing an M3-1 District to R7A, R7D, R8A and C2-4 Districts. This amendment in conjunction with the related action would facilitate the development of eight mixed use buildings, containing approximately 1,146 dwelling units, of which 287 units, or 25 percent of the residential floor area, would be set aside for permanently affordable housing; 62,810 square feet of ground floor retail; 404 accessory parking spaces; and 26,000 square feet of public open space in the South Williamsburg neighborhood of Brooklyn (ULURP No. C 150278 ZMK), Community District 5, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related application N 150277 ZRK (L.U. No. 762), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 24, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on September 8, 2017 (CEQR No. 15DCP117K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-427);

**RESOLVED:**

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated September 14, 2017, those project components related to the environment and mitigation measures that were identified as practicable;

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 150278 ZMK, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 13b:

1. changing from an M3-1 District to an R7A District property bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100 feet southwesterly of Harrison Avenue;

2. changing from an M3-1 District to an R7D District property bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, and a line 265 feet southwesterly of Harrison Avenue;
3. changing from an M3-1 District to an R8A District property bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;
4. establishing within the proposed R7A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, Harrison Avenue, Gerry Street, and a line 100 feet southwesterly of Harrison Avenue;
5. establishing within the proposed R7D District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 100 feet southwesterly of Harrison Avenue, Gerry Street, a line 335 feet southwesterly of Harrison Avenue, Wallabout Street, and a line 200 feet southwesterly of Harrison Avenue; and
6. establishing within the proposed R8A District a C2-4 District bounded by the southwesterly centerline prolongation of Walton Street, a line 265 feet southwesterly of Harrison Avenue, a line 140 feet northwesterly of Wallabout Street, a line 200 feet southwesterly of Harrison Avenue, Wallabout Street, a line 335 feet southwesterly of Harrison Avenue, Gerry Street, Flushing Avenue, Marcy Avenue, Wallabout Street, and Union Avenue;

as shown on a diagram (for illustrative purposes only) dated May 22, 2017, and subject to the conditions of CEQR Declaration E-427, Community District 1, Borough of Brooklyn.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

Report for L.U. No. 762

**Report of the Committee on Land Use in favor of approving Application No. N 150277 ZRK submitted by Harrison Realty LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on September 27, 2017 (Minutes, page 3373) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 1**

**N 150277 ZRK**

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

**INTENT**

To approve an amendment of the text of the Zoning Resolution, which in conjunction with the related action would facilitate the development of eight mixed use buildings, containing approximately 1,146 dwelling units, of which 287 units, or 25 percent of the residential floor area, would be set aside for permanently affordable housing; 62,810 square feet of ground floor retail; 404 accessory parking spaces; and 26,000 square feet of public open space in the South Williamsburg neighborhood of Brooklyn.

**PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Ten

**Witnesses Against:** Seven

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Torres, Grodenchik.

**Against:**

Williams, Reynoso

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Garodnick, Mealy, Rodriguez, Koo, Lander, Levin, Rose, Richards, Cohen, Kallos, Torres, Treyger, Grodenchik, Salamanca.

**Against:**

Mendez, Williams, Reynoso, Barron.

**Abstain:**

None

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

Res. No. 1704

**Resolution approving the decision of the City Planning Commission on Application No. N 150277 ZRK, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Community District 1, Borough of Brooklyn (L.U. No. 762).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on September 19, 2017 its decision dated September 19, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Harrison Realty, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area. This amendment in conjunction with the related action would facilitate the development of eight mixed use buildings, containing approximately 1,146 dwelling units, of which 287 units, or 25 percent of the residential floor area, would be set aside for permanently affordable housing; 62,810 square feet of ground floor retail; 404 accessory parking spaces; and 26,000 square feet of public open space in the South Williamsburg neighborhood of Brooklyn, (Application No. N 150277 ZRK), Community District 1, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application C 150278 ZMK (L.U. No. 761), a zoning map amendment to change from an M3-1 to R7A, R7D, R8A districts with C2-4 overlay;

**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 October 10, 2017;

**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 Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on September 8, 2017

(CEQR No. 15DCP117K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-427);

**RESOLVED:**

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated September 14, 2017, those project components related to the environment and mitigation measures that were identified as practicable;

The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 150277 ZRK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**



**Brooklyn Community District 1**

In Waterfront Access Plan BK-1, and in the R6, R6A, R6B, R7A, R7D, R7-3, ~~and R8~~ and R8A Districts within the areas shown on the following Maps 1, 2, 3 and 4:

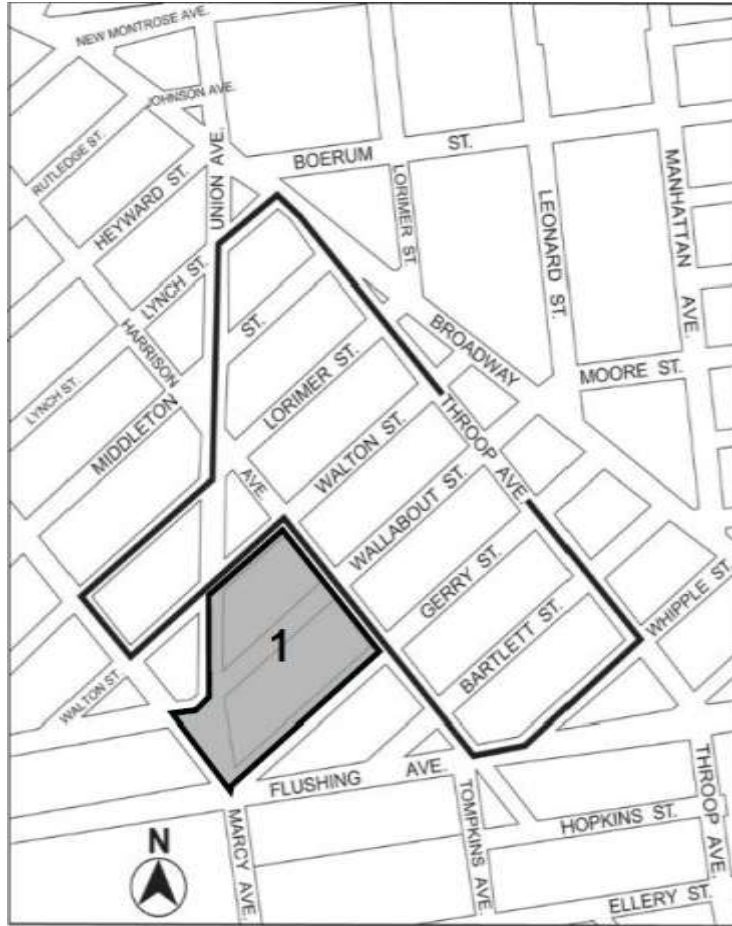
\* \* \*

Map 4. [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Inclusionary Housing designated area



Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*

Area 1 [date of adoption] – MIH Program Option 1

Portion of Community District 1, Brooklyn

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

Report for L.U. No. 766

**Report of the Committee on Land Use in favor of approving Application No. C 170400 ZMK submitted by YYY Brooklyn NY LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d, changing an R6 district to a C6-4 district and extending the Special Downtown Brooklyn District on property located at Tillary and Prince Street, Borough of Brooklyn, Community Board 2, Council District 35.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3579) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 2**

**C 170400 ZMK**

City Planning Commission decision approving an application submitted by YYY Brooklyn NY LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 12d.

#### **INTENT**

To approve an amendment to the Zoning Map, which in conjunction with the related action, would facilitate a new, approximately 234,000-square-foot mixed residential development with ground floor retail, located at 202-208 Tillary Street and 67-73 Prince Street in the Downtown Brooklyn neighborhood of Brooklyn Community District 2.

#### **PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No. 1705

**Resolution approving the decision of the City Planning Commission on ULURP No. C 170400 ZMK, a Zoning Map amendment (L.U. No. 766).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 2, 2017 its decision dated September 19, 2017 (the "Decision"), on the application submitted by YYY Brooklyn NY LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 12d, changing from an R6 zoning district to a C6-4 zoning district and establishing a Special Downtown Brooklyn District at the northeast corner of Tillary Street and Prince Street (Block 2050, Lots 100, 104 and part of Lot 1). This amendment, in conjunction with the related action, would facilitate a new, approximately 234,000-square-foot mixed residential development with ground floor retail, located at 202-208 Tillary Street and 67-73 Prince Street in the Downtown Brooklyn neighborhood of Brooklyn Community District 2, (ULURP No. C 170400 ZMK), Community District 2, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application N 170401 ZRK (L.U. No. 767), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area, and to extend the Special Downtown Brooklyn District (SDBD);

**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 October 10, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the revised conditional negative declaration issued September 18, 2017 (CEQR No. 17DCP176K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-437) (the “Revised Conditional Negative Declaration”);

**RESOLVED:**

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 170400 ZMK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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. 12d:

1. changing from an R6 District to a C6-4 District property bounded by the easterly centerline prolongation of Tillary Street, a line 210 feet easterly of Prince Street, the easterly prolongation of a line 200 feet southerly of Tillary Street, and Prince Street; and
2. establishing a Special Downtown Brooklyn District bounded by the easterly centerline prolongation of Tillary Street, a line 210 feet easterly of Prince Street, the easterly prolongation of a line 200 feet southerly of Tillary Street, and Prince Street;

as shown on a diagram (for illustrative purposes only) dated June 19, 2017, and subject to the conditions of CEQR Declaration E-437, Community District 5, Borough of Brooklyn.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

## Report for L.U. No. 767

**Report of the Committee on Land Use in favor of approving Application No. N 170401 ZRK submitted by YYY Brooklyn NY, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections, Borough of Brooklyn, Community District 2.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3579) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BROOKLYN CB - 2****N 170401 ZRK**

City Planning Commission decision approving an application submitted by YYY Brooklyn NY, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections.

**INTENT**

To approve an amendment to the text of the Zoning Resolution, which in conjunction with the related action, would facilitate a new, approximately 234,000-square-foot mixed residential development with ground floor retail, located at 202-208 Tillary Street and 67-73 Prince Street in the Downtown Brooklyn neighborhood of Brooklyn Community District 2.

**PUBLIC HEARING****DATE:** October 10, 2017**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No.. 1706

**Resolution approving the decision of the City Planning Commission on Application No. N 170401 ZRK, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, and to extend the Special Downtown Brooklyn District, modifying Article X, Chapter 1, and related Sections, in Community District 2, Borough of Brooklyn (L.U. No. 767).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 2, 2017 its decision dated September 19, 2017 (the "Decision"), regarding an application submitted by YYY Brooklyn NY, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, to establish a Mandatory Inclusionary Housing (MIH) area, extend the Special Downtown Brooklyn District (SDBD) and expand the SDBD's Flatbush Avenue Extension Height Limitation Area on the northeast corner of Tillary Street and Prince Street (Block 2050, Lots 100, 104, and part of Lot 1) in Brooklyn Community District 2. This amendment, in conjunction with the related action, would facilitate a new, approximately 234,000-square-foot mixed residential development with ground floor retail, located at 202-208 Tillary Street and 67-73 Prince Street in the Downtown Brooklyn neighborhood of Brooklyn, (Application No. N 170401 ZRK), Community District 2, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application C 170400 ZMK (L.U. No. 766), an amendment to the Zoning Map, changing from an R6 district to a C6-4 district;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 10, 2017;

**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 conditional negative declaration issued September 18, 2017 (CEQR No. 17DCP176K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-437) (the "Revised Conditional Negative Declaration");

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Conditional 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 170401 ZRK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

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

**ARTICLE X**

**SPECIAL PURPOSE DISTRICTS**

**Chapter 1**

**Special Downtown Brooklyn District**

**101-20**

**SPECIAL BULK REGULATIONS**

The bulk regulations of the underlying districts shall apply, except as superseded, supplemented or modified by the provisions of this Section, inclusive.

Within #Mandatory Inclusionary Housing areas#, as shown on the map in APPENDIX F of this Resolution, the provisions of Sections 23-154 (Inclusionary Housing) and 23-90 (INCLUSIONARY HOUSING) shall apply.

\* \* \*

**APPENDIX E**

**Special Downtown Brooklyn District Maps**



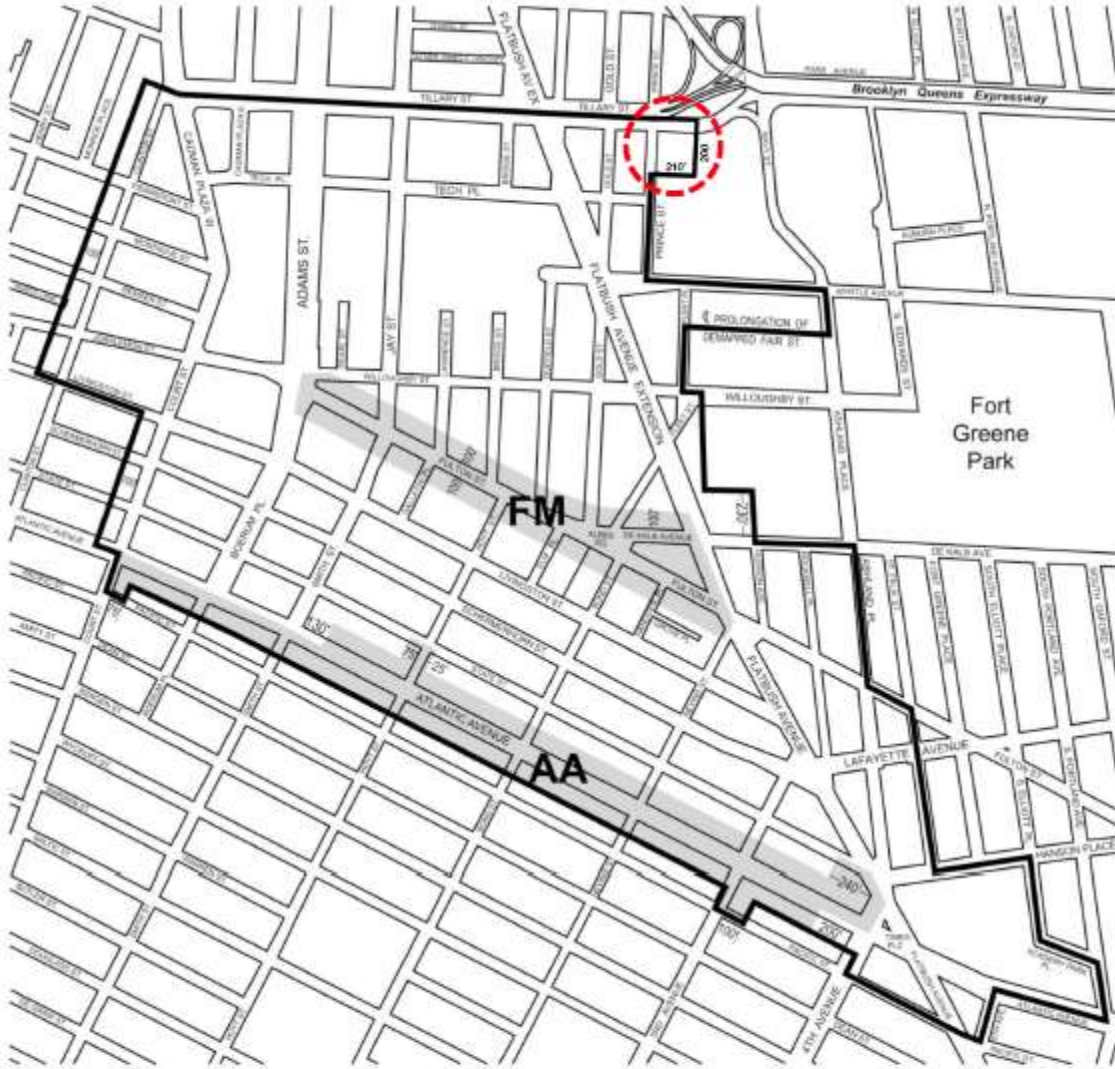
**Map 1. Special Downtown Brooklyn District and Subdistricts**

[EXISTING MAP]



- Special Downtown Brooklyn District
- AA Atlantic Avenue Subdistrict
- FM Fulton Mall Subdistrict

[PROPOSED MAP]






- Special Downtown Brooklyn District
- AA** Atlantic Avenue Subdistrict
- FM** Fulton Mall Subdistrict

### Map 2. Ground Floor Retail Frontage

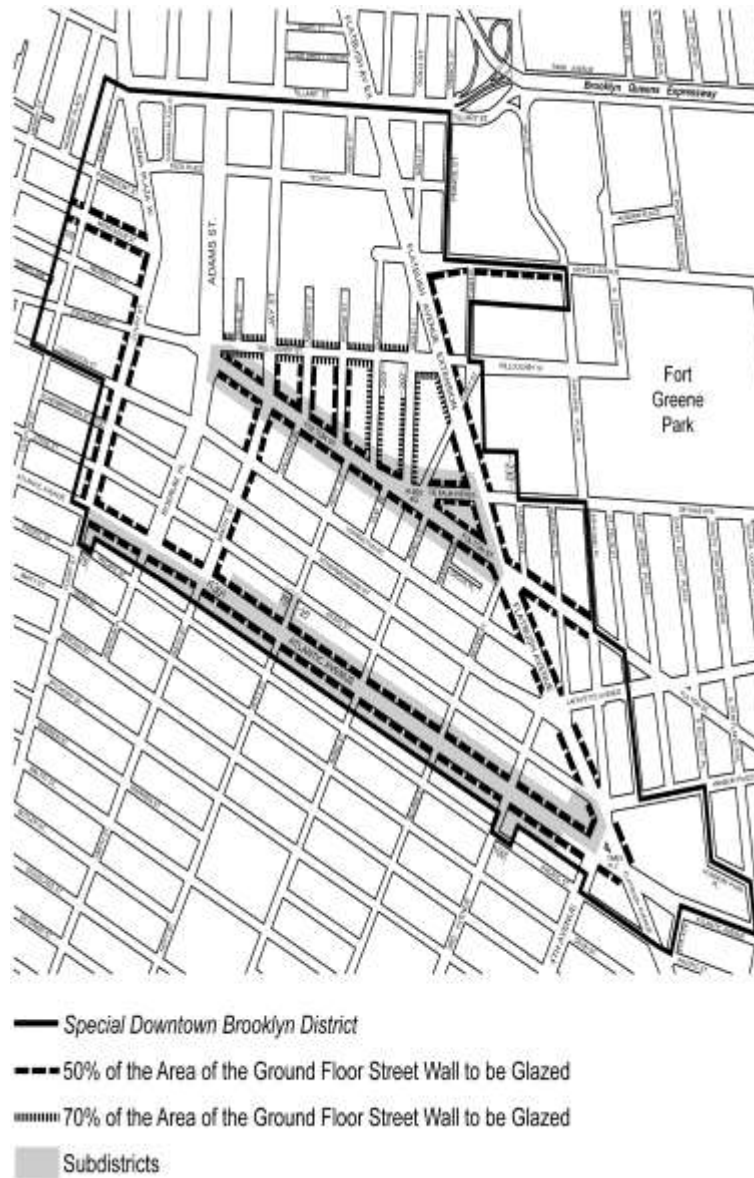
[EXISTING MAP]



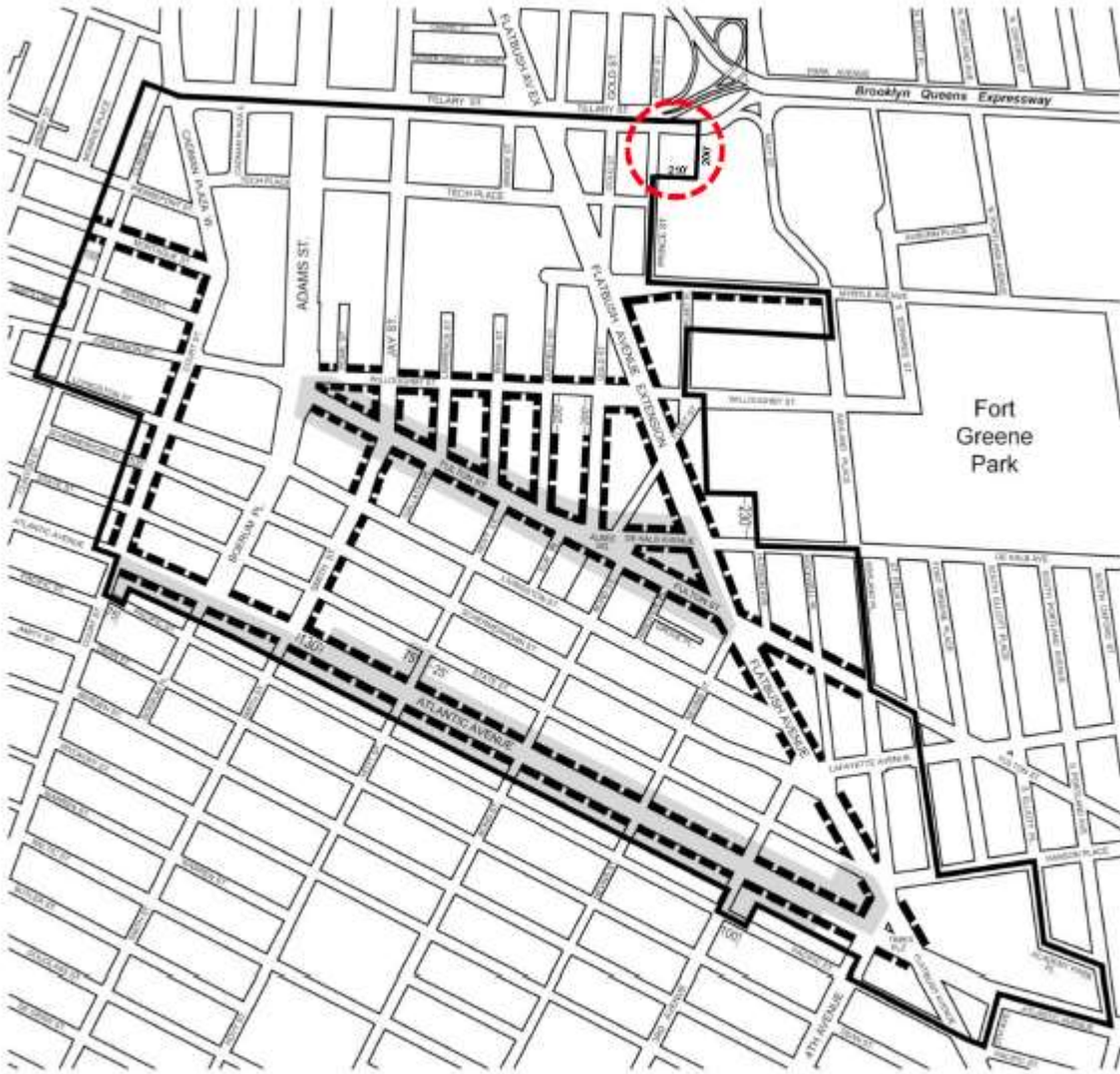
-  Special Downtown Brooklyn District
-  Retail Continuity Required
-  Subdistricts




### Map 3. Ground Floor Transparency Requirements

[EXISTING MAP]

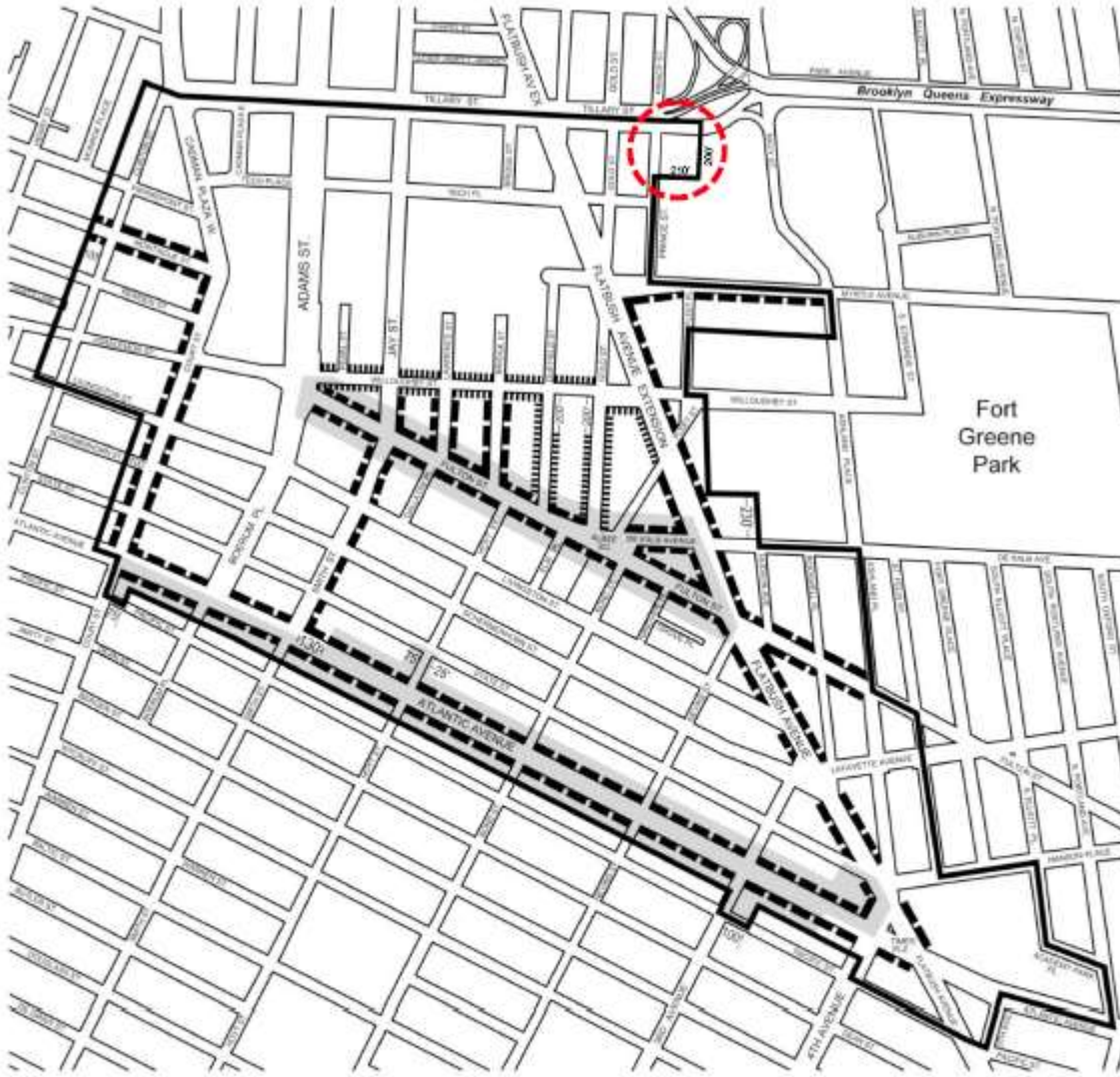


[PROPOSED MAP]



-  Special Downtown Brooklyn District
-  Retail Continuity Required
-  Subdistricts

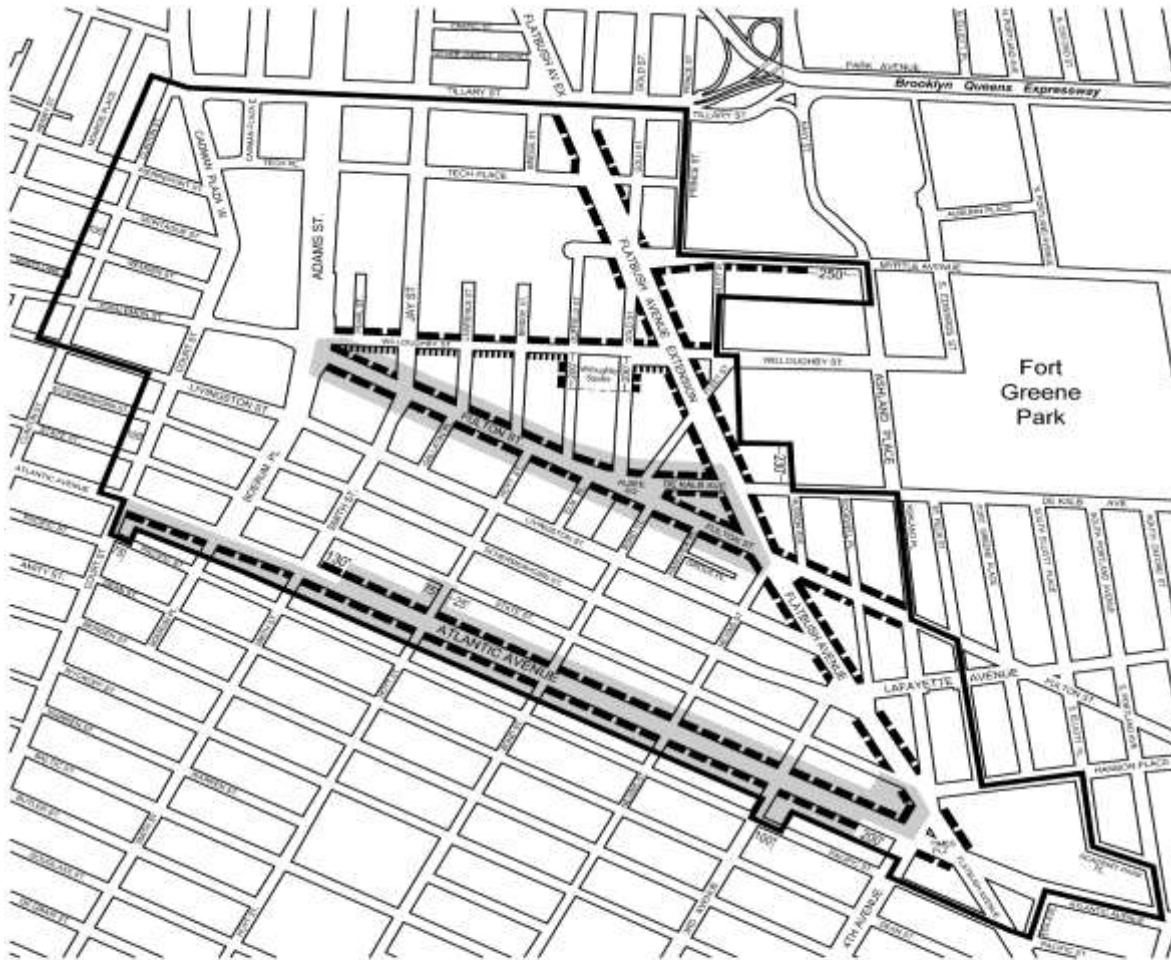
[PROPOSED MAP]



- Special Downtown Brooklyn District
- - -** 50% of the Area of the Ground Floor Street Wall to be Glazed
- |||||** 70% of the Area of the Ground Floor Street Wall to be Glazed
- Subdistricts

### Map 4. Street Wall Continuity and Mandatory Sidewalk Widening

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Street Wall Continuity Required
- - - Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- ..... Street Wall Continuity and Sidewalk Widening Required

[PROPOSED MAP]

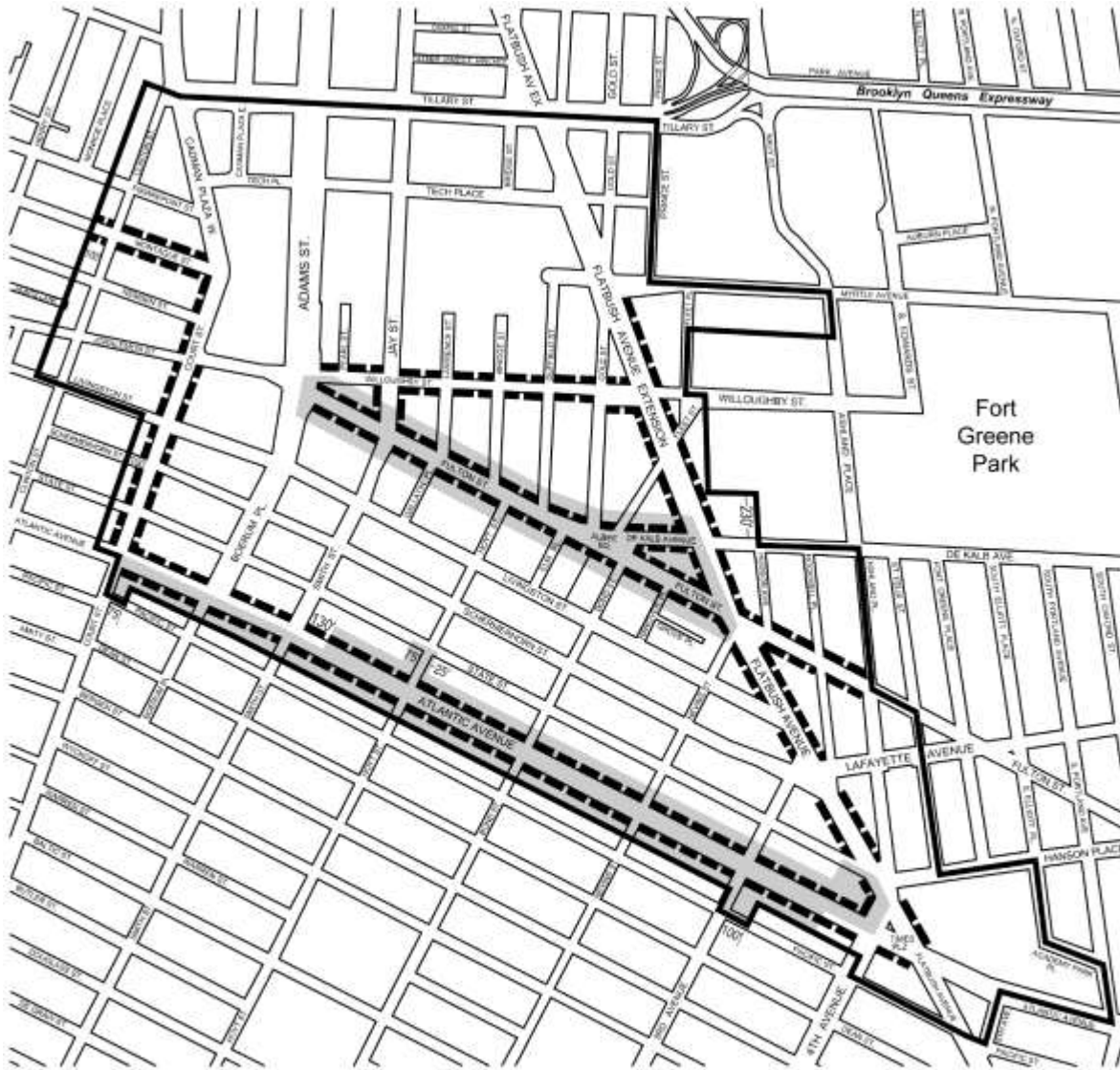


- Special Downtown Brooklyn District
- - - Street Wall Continuity Required
- - - Street Wall Continuity Required, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict
- ▬ Street Wall Continuity and Sidewalk Widening Required



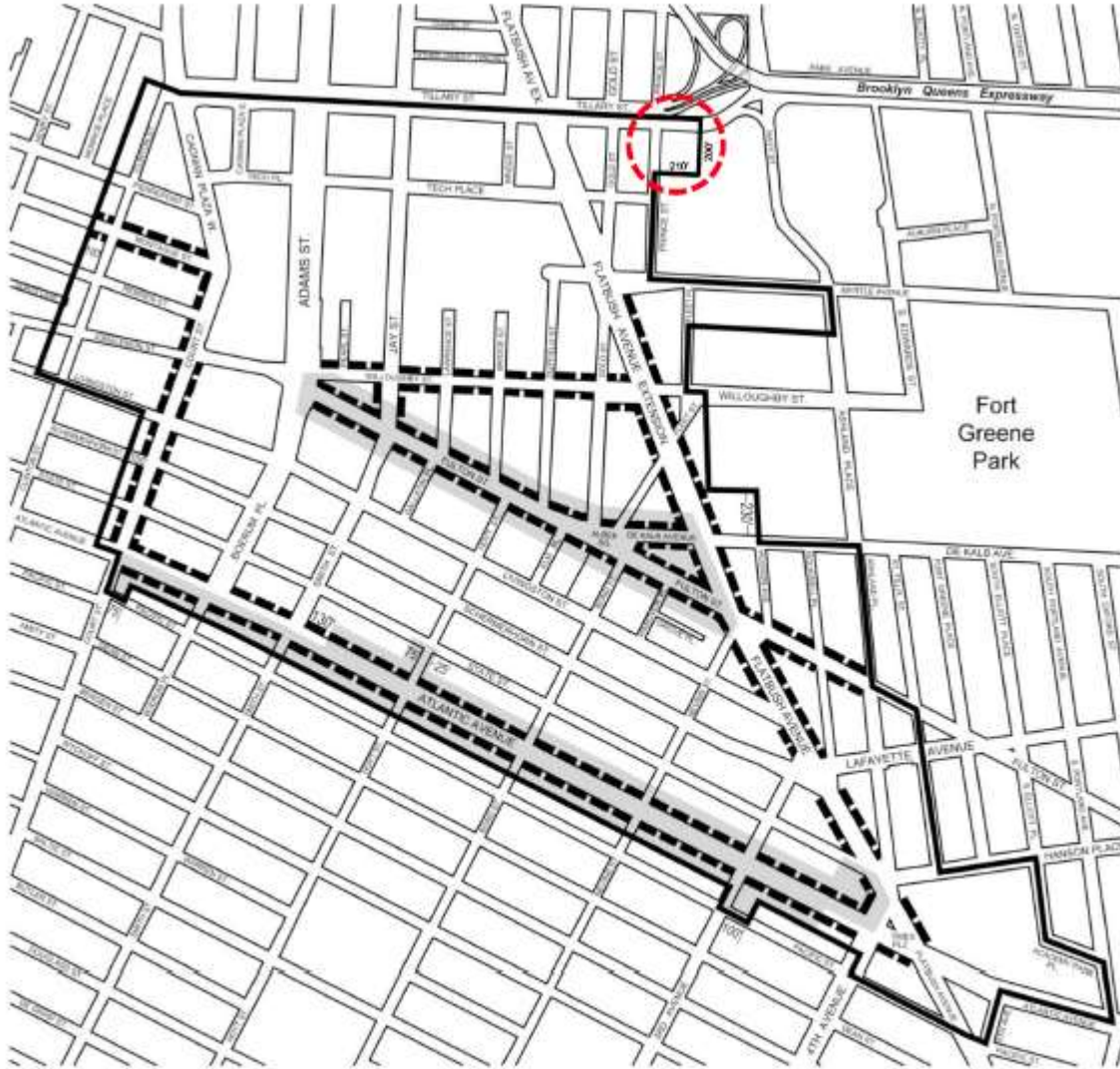
### Map 5. Curb Cut Restrictions

[EXISTING MAP]



- Special Downtown Brooklyn District
- - - Curb Cut Prohibition
- - - Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

[PROPOSED MAP]



- Special Downtown Brooklyn District
- - - Curb Cut Prohibition
- - - Curb Cut Prohibitions, subject to the requirements of the Atlantic Avenue Subdistrict or Fulton Mall Subdistrict

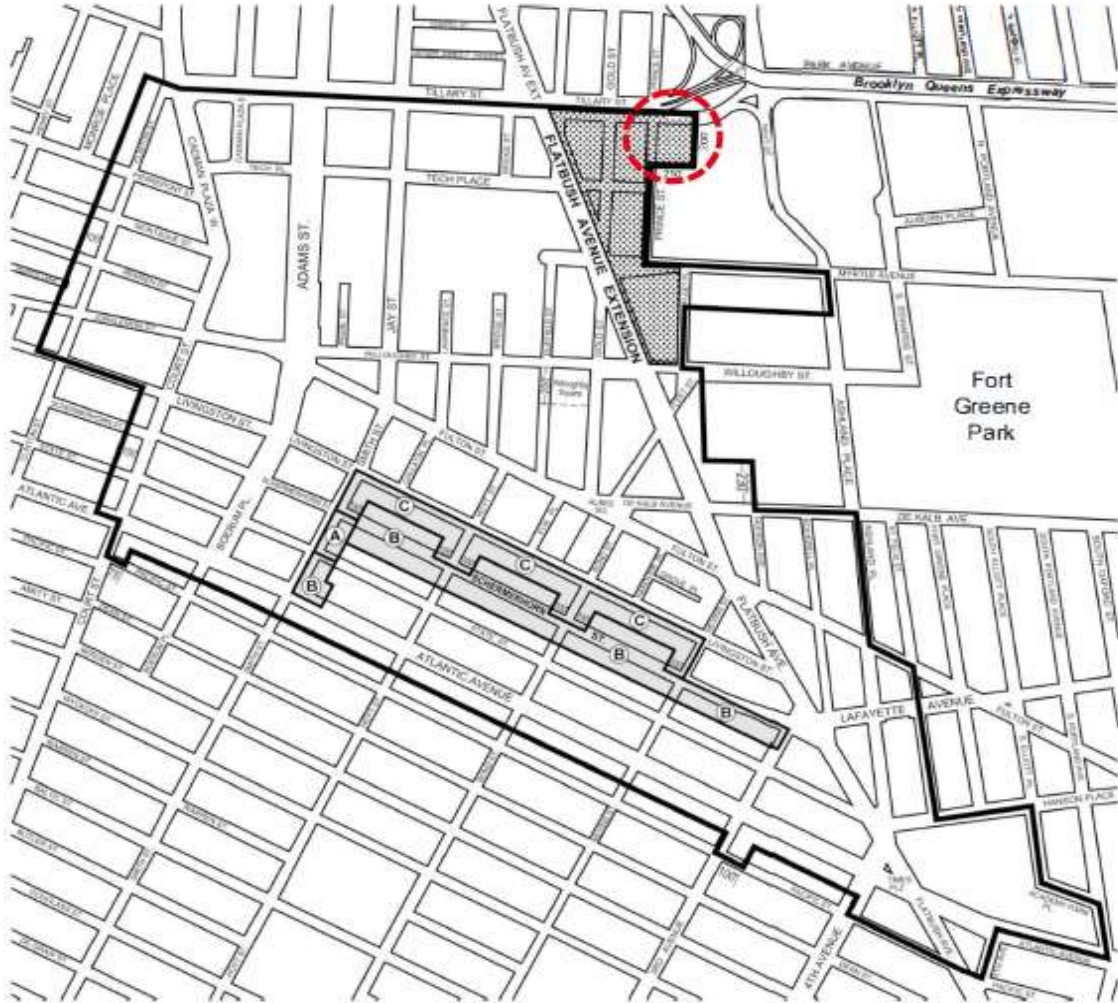
**Map 6. Height Limitation Area**

[EXISTING MAP]



- Special Downtown Brooklyn District
- (A) Schermerhorn Street Height Limitation Area: Height Restriction of 210 Feet
- (B) Schermerhorn Street Height Limitation Area: Height Restriction of 140 Feet
- (C) Schermerhorn Street Height Limitation Area: Height Restriction of 250 Feet
- Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

[PROPOSED MAP]



— Special Downtown Brooklyn District

- (A)** Schermerhom Street Height Limitation Area: Height Restriction of 210 Feet
- (B)** Schermerhom Street Height Limitation Area: Height Restriction of 140 Feet
- (C)** Schermerhom Street Height Limitation Area: Height Restriction of 250 Feet
- (Dotted Pattern)** Flatbush Avenue Extension Height Limitation Area: Height Restriction of 400 Feet

Map 7. Subway Station Improvement Areas

[EXISTING MAP]



- |   |                            |
|---|----------------------------|
| — Special Downtown Brooklyn District        | — 6th Ave. Line            |
| — Subway Station                            | — Broadway-60th St. Line   |
| ● Subway Entrance                           | — 4th Ave. Line            |
| ① Court St.-Borough Hall Station            | — Brighton Line            |
| ② DeKalb Ave. Station                       | — Crosstown Line           |
| ③ Hoyt St. Station                          | — Culver Line              |
| ④ Hoyt-Schermerhorn Streets Station         | — Fulton St. Line          |
| ⑤ Jay St.-Borough Hall-Lawrence St. Station | — Montague St. Tunnel Line |
| ⑥ Nevins St. Station                        | — Eastern Parkway Line     |
| ⑦ Atlantic Ave.-Pacific St. Station         |                            |

[PROPOSED MAP]



- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>— Special Downtown Brooklyn District</li> <li>— Subway Station</li> <li>● Subway Entrance</li> <li>① Court St.-Borough Hall Station</li> <li>② DeKalb Ave. Station</li> <li>③ Hoyt St. Station</li> <li>④ Hoyt-Schermerhorn Streets Station</li> <li>⑤ Jay St.-Borough Hall-Lawrence St. Station</li> <li>⑥ Nevins St. Station</li> <li>⑦ Atlantic Ave.-Pacific St. Station</li> </ul> | <ul style="list-style-type: none"> <li>— 6th Ave. Line</li> <li>— Broadway-60th St. Line</li> <li>... 4th Ave. Line</li> <li>- - - Brighton Line</li> <li>- - - Crosstown Line</li> <li>- - - Culver Line</li> <li>- - - Fulton St. Line</li> <li>- - - Montague St. Tunnel Line</li> <li>- - - Eastern Parkway Line</li> </ul> |
|---|---|

\* \* \*

[THE FOLLOWING APPENDIX F IS THE STAND-ALONE IHda/MIH ONE, NOT AN ADDITIONAL APPENDIX IN ARTICLE X, CHAPTER 1]

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**

\* \* \*

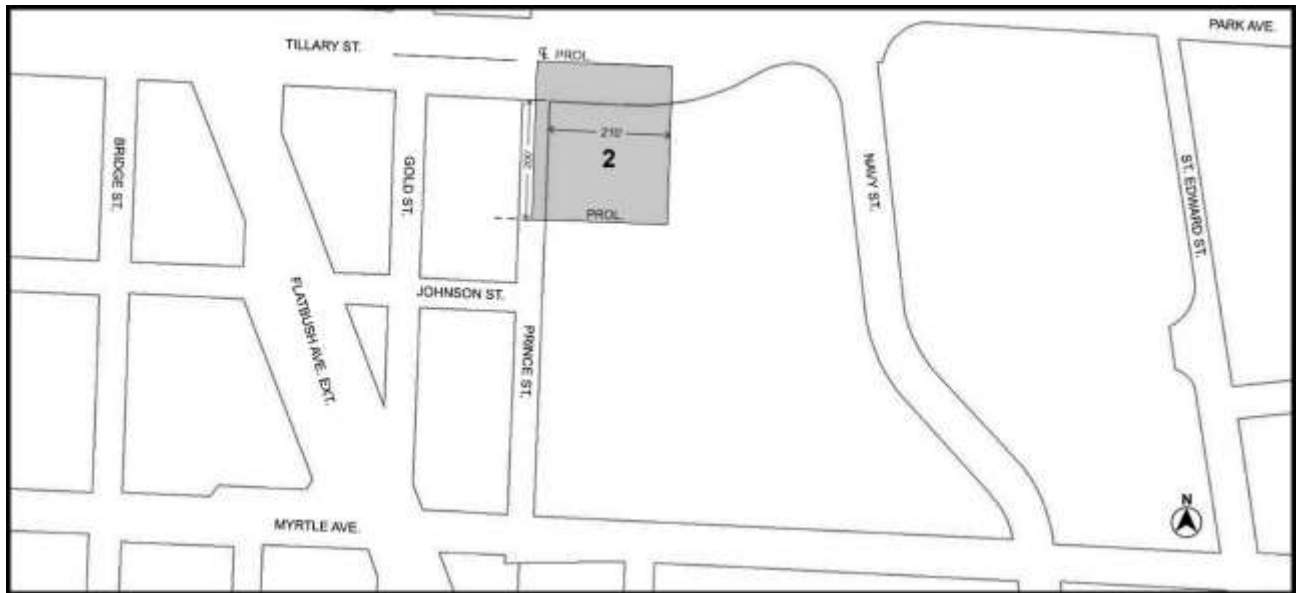
**Brooklyn Community District 2**

\* \* \*

In portions of the #Special Downtown Brooklyn District# and in the C6-4 and C6-6 (R10 equivalent) Districts within the areas shown on the following Map 5:

Map 5 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program area *see Section 23-154(d)(3)*

Area 2 [date of adoption] — MIH Program Option 1

Portion of Community District 2, Brooklyn

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

Report for L.U. No. 768

**Report of the Committee on Land Use in favor of approving, as modified, Application No. C 170430 ZMK submitted by Canyon Sterling Emerald LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18b, changing an R4/C1-2 district to R6A, R7A, and R8A/CC2-4 districts on property located south of Linden Boulevard between Emerald and Amber Streets, Borough of Brooklyn, Community Board 5, Council District 42.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3580), respectfully

**REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 768 & Res. No. 1710 printed in the General Order Calendar section of these Minutes)**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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



## Report for L.U. No. 769

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170431 ZRK submitted by Canyon Sterling Emerald, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 5, Council District 42.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page3580), respectfully

**REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 769 & Res. No. 1711 printed in the General Order Calendar section of these Minutes)**

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

## Report for L.U. No. 770

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170433 ZRM submitted by 42nd and 8th Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community District 4, Council District 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3580), respectfully

**REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 770 & Res. No. 1712 printed in the General Order Calendar section of these Minutes)**

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

VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

Report for L.U. No. 796

**Report of the Committee on Land Use in favor of approving Application No. 20185066 HAM submitted by the Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1948, Lots 45, 46, and 47, Borough of Manhattan, Community District 10, Council District 9.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3584) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 10**

**20185066 HAM**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of the prior tax exemption for property located at Block 1948, Lots 45, 46, and 47.

**INTENT**

To approve a new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for the exemption area and terminate the prior exemption.

**PUBLIC HEARING**

**DATE:** October 24, 2017

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

The Subcommittee recommends that the Land Use Committee approve the requests made by the New

York City Department of Housing Preservation and Development.

**In Favor:**

Salamanca, Mealy, Rodriguez, Cohen, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No. 1707

**Resolution approving a new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law and termination of a prior exemption under Section 420-c of the Real Property Tax Law for property located at Block 1948, Lots 45, 46 and 47, Borough of Manhattan, (L.U. No. 796; Non-ULURP No. 20185066 HAM).**

By Council Members Greenfield and Salamanca.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 22, 2017 its request dated September 18, 2017, that the Council take the following actions regarding a tax exemption for real property located at Block 1948, Lots 45, 46 and 47, Community District No. 10, Borough of Manhattan, Council District No. 9 (the "Exemption Area");

Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption");

Approve, pursuant to Section 420-c of the Real Property Tax Law, the termination of the prior exemption for the Exemption Area;

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on October 24, 2017;

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

**RESOLVED:**

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

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1948, Lots 45, 46, and 47 on the Tax Map of the City of New York.
  - c. “Expiration Date” shall mean the earlier to occur (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - d. “HDFC” shall mean Angelou Court Association Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - e. “HPD” shall mean the City of New York Department of Housing Preservation and Development.
  - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - g. “Owner” shall mean the HDFC.
  - h. “Prior Exemption” shall mean the exemption from real property taxation pursuant to Section 420-c of the Real Property Tax Law for the Exemption Area.
  - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Notwithstanding any provision hereof to the contrary:
  - (a) The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City

of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

- (b) The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
  - (c) Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

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

L.U. No. 798

**Report of the Committee on Land Use in favor of approving Application No. 20185050 HKM (N 180078 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the New York Public Library (Stephen A. Schwartzman Building) Interiors located at 476 Fifth Avenue (Block 1257, Lot 1), as an interior landmark, Borough of Manhattan, Community Board 5, Council District 4.**

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 31, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**MANHATTAN CB - 5**

**20185050 HKM (N 180078 HKM)**

Designation by the Landmarks Preservation Commission [DL-497/LP-2592] pursuant to Section 3020 of the New York City Charter of the landmark designation of the New York Public Library (Stephen A. Schwarzman Building) Interiors located at 476 Fifth Avenue (a/k/a 460-476 Fifth Avenue, 1 West 40<sup>th</sup> Street, 11 West 40<sup>th</sup> Street, 2 West 42<sup>nd</sup> Street) (Block 1257, Lot 1), as an interior landmark.

**PUBLIC HEARING**

**DATE:** October 24, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

**In Favor:**

Koo, Mendez, Levin, Rose, Kallos.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

Res. No. 1708

**Resolution affirming the designation by the Landmarks Preservation Commission of the New York Public Library (Stephen A. Schwarzman Building) Interiors, Main Reading Room and Catalog Room, located at 476 Fifth Avenue (a/k/a 460-476 Fifth Avenue, 1 West 40<sup>th</sup> Street, 11 West 40<sup>th</sup> Street, and 2 West 42<sup>nd</sup> Street) (Tax Map Block 1257, Lot 1), Borough of Manhattan, Designation List No. 497, LP-2592 (PRECONSIDERED L.U. No. 798; 20185050 HKM; N 180078 HKM).**

By Council Members Greenfield and Koo.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on August 17, 2017 a copy of its designation report dated August 8, 2017 (the "Designation Report"), including the designation

pursuant to Section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York of the New York Public Library (Stephen A. Schwarzman Building) Interiors, Main Reading Room and Catalog Room, located at 476 Fifth Avenue (aka 460-476 Fifth Avenue, 1 West 40<sup>th</sup> Street, 11 West 40<sup>th</sup> Street, 2 West 42<sup>nd</sup> Street), Community District 5, Borough of Manhattan, as an interior landmark and Tax Map Block 1257, Lot 1, as its landmark site (the "Designation");

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

**WHEREAS**, the New York City Planning Commission submitted to the Council on October 20, 2017, its report on the Designation dated October 18, 2017 (the "City Planning Commission Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on October 24, 2017; 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 New York City Charter, and on the basis of the information and materials contained in the Designation Report and the City Planning Commission Report, the Council affirms the Designation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

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

L.U. No. 799

**Report of the Committee on Land Use in favor of approving Application No. 20185103 HAK submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 4496, Lot 29, Borough of Brooklyn, Community District 5, Council District 42.**

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 31, 2017 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BROOKLYN CB - 5****20185103 HAK**

Application submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 4496, Lot 29, Borough of Brooklyn, Community District 5, Council District 42 .

**INTENT**

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for an exemption area that will contain one multiple dwelling known as Linden Terrace Building #1, which will provide rental housing for low income families.

**PUBLIC HEARING****DATE:** October 24, 2017**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

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

**Against:**

None

**Abstain:**

None



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

Res. No. 1709

**Resolution approving a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 4496, Lot 29, Borough of Brooklyn, (Preconsidered L.U. No. 799; Non-ULURP No. 20185103 HAK).**

By Council Members Greenfield and Richards.

**WHEREAS**, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 24, 2017 its request dated October 20, 2017 that the Council approve an exemption from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 4496, Lot 29, Community District No. 5, Borough of Brooklyn, Council District No. 42 (the "Exemption Area");

**WHEREAS**, the Tax Exemption Request is related to Applications C 170430 ZMK (L.U. No. 768), a zoning map amendment to change R4 and R4/C1-2 zoning districts to R8A/C2-4, R7A and R6A zoning districts; and N 170431 ZRK (L.U. No. 769), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

**WHEREAS**, upon due notice, the Council held a public hearing on the Project on October 24, 2017;

**WHEREAS**, the Council has considered the environmental, land use and financial implications and other policy issues relating to the Tax Exemption Request;

**RESOLVED:**

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

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. "Companies" shall mean Linden Terrace I LLC and Linden Terrace I Mid LLC or other limited liability companies that acquire the beneficial interests in the Exemption Area with the approval of HPD.
  - b. "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
  - c. "Exemption" shall mean the exemption from real property taxation provided hereunder.
  - d. "Exemption Area" shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4496, Lot 29 on the Tax Map of the City of New York.
  - e. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing

development fund company or an entity wholly controlled by a housing development fund company.

- f. “HDFC” shall mean HP Linden Boulevard Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - h. “Owner” shall mean, collectively, the HDFC and the Companies.
  - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- 2.. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
  - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that has a permanent certificate of occupancy or temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
  - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
3. In consideration of the Exemption, the owner of the Exemption Area, for so long as the Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

### **Report of the Committee on 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. 1744

**Report of the Committee on Parks and Recreation in favor of approving and adopting a Local Law in relation to the naming of 70 thoroughfares and public places, 1<sup>st</sup> Lt. Alf Larsen Way WWII Hero, Borough of Staten Island, Police Officer Kelly Korchak Way, Borough of Staten Island, Detective Sean Carrington Way, Borough of the Bronx, Andrew Sandler Way, Borough of the Bronx, Assemblyman Denis J. Butler Way, Borough of Queens, Firefighter Jimmy Lanza Way, Borough of Queens, Firefighter Nicholas J. DeMasi Way, Borough of Queens, Firefighter William Tolley Way, Borough of Queens, Deacon Fabio Flaim Way, Borough of Queens, Frank R. Bell Way, Borough of Brooklyn, Dr. Solly Walker Way, Borough of Brooklyn, Reverend Dr. John L. Pratt Sr. Way, Borough of Brooklyn, Margaret Corbin Way, Borough of Brooklyn, NYS Assemblyman Ivan Lafayette Way, Borough of Queens, Jessie Streich-Kest Way, Borough of Brooklyn, Rebbetzin Chaya Mushka Schneerson Square, Borough of Brooklyn, Carole Schaffer's Way, Borough of Brooklyn, Helen Marshall Blvd, Borough of Queens, Alberto Ingravallo Way, Borough of Brooklyn, EMT Yadira Arroyo Way, Borough of the Bronx, Steve Halfon Way, Borough of Brooklyn, Jack M. Friedman Way, Borough of Queens, Bella Abzug Way, Borough of Manhattan, Ms. Burmadine Hinds Way, Borough of the Bronx, Samuel Simpson Way, Borough of the Bronx, J.W. Smith Way, Borough of the Bronx, The Lucky Corner, Borough of Manhattan, FDNY Firefighter Dennis Heedles Way, Borough of Staten Island, Richard L. Willis Way, Borough of Staten Island, Jackie Robinson Way, Borough of Brooklyn, Richie Perez Way, Borough of the Bronx, Mary Spink Way, Borough of Manhattan, Nicholas Figueroa Way, Borough of Manhattan, Moises Locon Way, Borough of Manhattan, Joseph Papp Way, Borough of Manhattan, Children's Court Way, Borough of Manhattan, Ms. Magazine Way, Borough of Manhattan, Mother Cabrini Way, Borough of Manhattan, Assemblywoman Barbara Clark Way, Borough of Queens, Doris L. & Rev Walter A. Jones Sr. Way, Borough of Queens, Margie Boyd Way, Borough of Queens, Tuskegee Airman Dabney N. Montgomery Place, Borough of Manhattan, Assemblywoman Geraldine L. Daniels Way, Borough of Manhattan, Manuel "Manny" Fiallo Jr. Way, Borough of Queens, Amanda Clarke Way, Borough of Queens, Santiago Cerón Way, Borough of Manhattan, Flor Maria Miolan Way, Borough of Manhattan, Bertha Simons Lee Way, Borough of Staten Island, Saxophonist Eric R. Dixon Way, Borough of Staten Island, Firefighter Roy E. Smith Way, Borough of Staten Island, Dennis M. Hogan Way, Borough of Staten Island, Samuel A. Browne Way, Borough of Staten Island, Honorable Louis R. Jerome Way, Borough of Staten Island, Rising Star Coach "Eddie" Watkins Way, Borough of Staten Island, Education Activist Lilian Popp Way, Borough of Staten Island, James and Rina Garst Way, Borough of Manhattan, Detective First Grade Steven McDonald, Borough of Manhattan, Dr. Richard Izquierdo Way, Borough of the Bronx, Rev. Dr. Fletcher C. Crawford Way, Borough of the Bronx, Lorraine Montenegro Way, Borough of the Bronx, Louella Hatch Way, Borough of the Bronx, Association Caggianesi D'America Way,**

**Borough of Brooklyn, Pastor Agustín Quiles Jr. Place, Borough of Brooklyn, Rosia Wyche Way, Borough of Brooklyn, Chief Christian Hoobs Way, Borough of Queens, Frank Skala Way, Borough of Queens, Alphonse “Al” Volpe Way, Borough of Queens, Rev. Dr. Robert J. Johansson Way, Borough of Queens, Lily Gavin Place, Borough of Queens, Vincent Cannariato Jr. Way, Borough of Queens and the repeal of sections 5, 8, 9 ,14, 17, 30, 31 and 53 of local law number 110 for the year 2017 and the repeal of sections 13, 21, 22 and 35 of local law number 45 for the year 2017.**

The Committee on Parks and Recreation, to which the annexed preconsidered proposed local law was referred on October 31, 2017, respectfully

### **REPORTS:**

#### Comment:

On October 30, 2017, the Committee on Parks and Recreation will hold a vote on Preconsidered Int. No. 1744 which co-names seventy (70) 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. 1<sup>st</sup> Lt. Alf Larsen Way WWII Hero**

Introduced by Council Member Borelli

October 23, 1919 – June 27, 1944

Alf Larsen served in the United States Army Air Force during WWII as a 1<sup>st</sup> Lieutenant on a B-17 Flying Fortress in the European Theater of the war. His B-17 crashed after encountering ground fire on June 27, 1944 and was killed in the line of duty. He received the Purple Heart.

#### **Section 2. Police Officer Kelly Korchak Way**

Introduced by Council Member Borelli

January 30, 1979 – June 10, 2017

Kelly Korchak was a two-time “Cop of the Month” who graduated from the academy in 2002 and was assigned to the 73<sup>rd</sup> Precinct in Brooklyn before being assigned to Staten Island where she joined the borough’s Evidence Collection Team in 2007. While in the academy, she worked near the World Trade Center after the 9/11 attacks and also worked at Ground Zero for two weeks. She was awarded Cop of the Month after aiding in the arrest of four shooting suspects and again when she was instrumental in breaking up a burglary ring by recovering 17 latent fingerprints from two separate burglaries, which helped crack a burglary pattern. She died as a result of 9/11 related illness.

**Section 3. Detective Sean Carrington Way**

Introduced by Council Member Cabrera

Died January 19, 1998.

Detective Sean Carrington was shot and killed in the line of duty. He was a four-year veteran of the NYPD and was killed during an undercover drug operation in the Bronx. He was assigned to a special section of the Bronx Narcotics Unit with the 46<sup>th</sup> Precinct in Morris Heights.

**Section 4. Andrew Sandler Way**

Introduced by Council Member Cohen

May 8, 1986 - August 5, 2018

Andrew Sandler served as district manager for Community Board 7 in the Bronx. His experience handling landlord-tenant cases, transportation issues and other quality of life issues landed him a job as the director of community affairs under former Councilmember Oliver Koppell and his successor, Councilmember Andrew Cohen. He oversaw many capital investment projects at Mosholu Parkway including Councilmember Koppell's \$100,000 funding of the energy efficient metal halide light system for the Bronx Victory WWI Memorial implemented under Councilmember Cohen and also Harris Field's surface remediation, Williamsbridge Oval Park's renovation and Whalen Park's reconstruction.

**Section 5. Assemblyman Denis J. Butler Way**

Introduced by Council Member Constantinides

July 26, 1927 – October 14, 2010

Denis J. Butler was a lifelong resident of Astoria and a retired member of the New York State Legislature. He volunteered with the Lighthouse for the Blind for 20 years and also served as president of the St. Joseph's Home School Association, was a member of the Holy Name Society Parish Council. In April 1976, he was elected to the New York State Assembly and served the 36th Assembly District including Astoria and Long Island City for 24 years. He became Assistant Speaker Pro Tempore in 1993 and served on the Rules, Aging, Economic Development, Labor and Oversight, Analysis and Investigations Committees and on the Joint Budget Conference Committee's Subcommittee on Higher Education, which helped to maintain and increase funding for higher education. He served as Chair of the Assembly Subcommittee on the Special Problems of the Aging. He was responsible for the MTA putting the rough paint on the edge of the subway platform to alert the visual impaired that the platform was ending. In 1988, he was the recipient of the Brooklyn Diocese's Pro Vita Award, presented by Bishop Francis J. Mugavero in recognition of his efforts on behalf of the unborn and in support of life. In 1992, he received the New York State Catholic Conference Public Policy Award, presented by John Cardinal O'Connor and the Bishops of New York State for his work in support of the Maternity and Early Childhood Foundation. In 2009, he was knighted into the Papal Order of Saint Gregory the Great in Brooklyn's St. James Cathedral Basilica by Bishop Nicholas DiMarzo.

**Section 6. Firefighter Jimmy Lanza Way**

Introduced by Council Member Constantinides

James Lanza served in the United States Navy during the Vietnam War who later became a member of FDNY's Engine 53, Ladder 43, known as 'El Barrio's Bravest.' On September 11<sup>th</sup>, He and other firefighters pulled 16 people out of the rubble alive. During his 30 years with FDNY, he assisted in the search-and-recovery mission in New Orleans after Hurricane Katrina, served on the board of the FDNY Fire Family Transport Foundation and volunteered at the Red Cross. He died as a result from 9/11 related cancer.

**Section 7. Firefighter Nicholas J. DeMasi Way**

Introduced by Council Member Constantinides

Nicholas J. DeMasi was a firefighter stationed at Engine Company 261 for many years. He was a responder during the 9/11 attacks and spent many months after working on the cleanup of Ground Zero. He retired in 2004 and later died of 9/11-related cancer.

**Section 8. Firefighter William Tolley Way**

Introduced by Council Member Crowley

William Tolley was a 14-year veteran of the FDNY who was assigned to Ladder 135. He was killed in the line of duty while helping contain an apartment fire in Queens. He was also a natural drummer, and his passion for percussion led him to become a very influential drummer in the worldwide heavy metal scene. With his band Internal Bleeding, he helped write and release five very successful albums that made strong impressions on drummers across the world. He completed many US and International tours, including festivals in places such as Indonesia and Russia.

**Section 9. Deacon Fabio Flaim Way**

Introduced by Council Member Crowley

August 8, 1929 – May 2, 2017

Fabio Flaim was born in Tregiovo, Italy and was one of 18 children. He moved to Brooklyn in 1961 to unite with his mother, sisters and brothers and later moved to Ridgewood, Queens. He was an active member of the Club Trentino since its early years of formation in the 1960's. This was an Italian Society which is dedicated to providing social support for immigrants from Trentino/Tirol in Northern Italy and practiced their roots here in the United States through functions. He worked in the retail business for over 35 years. Fabio and his wife became volunteers helping with many church and school functions. He met Monsignor George Schuster who became his mentor and invited him to pursue becoming a permanent deacon. Fabio went through 5 years of deaconate schooling and was ordained a Permanent Deacon in 1984. During his ministry, he dedicated his work to the parishes of St. Aloysius Roman and Our Lady of the Miraculous Medal. He also worked directly with the Italian Catholic Community and societies in Ridgewood and Glendale including La Madonna Del Balzo, Radio Maria, Santa Crocifiscio, Maria delle Grazie, San Antonio, San Giuseppe, San Francisco De Padua, San Gandolfo and Padre Pio. His work consisted of baptizing many children, instructed pre Cana classes for brides and grooms, visited and distributed communion to the sick, elderly and home bound, presided at vigils, burials, and assisted at matrimonyes. He proclaimed the gospel and gave homilies at these churches as well as St. Pancreas and St. Matthais and other parishes when there were special masses. Although he was asked to retire his ministry at the ripe age of 75, he chose to continue proclaiming God's work until his death.

**Section 10. Frank R. Bell Way**

Introduced by Council Member Cumbo

Frank R. Bell contributed to the community by the encouragement he gave to others who sought his advice on overcoming their personal problems regarding their business endeavors, social interaction and financial obstacles. In 1968, he opened the Frank R. Bell Funeral Home. His success over the years was based on his humanitarian concern to serve those families, mostly in the neighborhood, who could not afford the cost to hold a funeral for their loved ones over the past six decades. Frank R. Bell Funeral Home has hired dozens of employees, some of whom have gone on to start their own businesses. Today, there are seventeen full-time staff members at Frank R. Bell Funeral Home who continue to enjoy a very comfortable standard of living in the community. 2017 will mark 60 years since the Frank R. Bell Funeral Home established a ministry that has served all faiths in the community.

**Section 11. Dr. Solly Walker Way**

Introduced by Council Member Cumbo

April 9, 1932 - April 28, 2017

Solly Walker was the first African-American basketball player for St. John's University who played from 1951-1954. In 1993, he was inducted into the St. John's Athletic Hall of Fame and was also presented the Trustees Award by the NYC Basketball Hall of Fame. He was drafted by the New York Knicks but chose a career with the NYC Board of Education instead and later became principal of the Manhattan School for the Multi-Handicapped.

### **Section 12. Reverend Dr. John L. Pratt Sr. Way**

Introduced by Council Member Cumbo

John Pratt pastored church for 30 years and was very involved in community efforts. He was pastor of the Zion Shiloh Baptist Church, recording secretary for the Progressive National Baptist Convention, moderator of the New York Missionary Association, instructor for the New York Missionary Baptist Association of Ministers and president of the Brooklyn Council of Churches. He was also a member of the Cumberland Diagnostic and Treatment Center Community Advisory Board, the Advisory Board of Community Board 2, the Cumberland Community Board, the Hampton Ministers Conference Board and the Fort Greene Support and Rescue Group. He was at the forefront of efforts to ensure that the Fort Greene community remained a stronghold for affordable housing and his accomplishments were cited by the United States House of Representatives as part of the Congressional Record of the 107<sup>th</sup> Congress.

### **Section 13. Margaret Corbin Way**

Introduced by Council Member Deutsch

November 12, 1751 – January 16, 1800

Margaret Corbin has been an unsung hero of the Revolutionary War. She was born in Franklin County, Pennsylvania. In 1776, at the outbreak of the Revolutionary War, she accompanied her husband, John Corbin, to his post in charge of a small cannon on a ridge later named Fort Tryon. It was at this battle station that he was killed during an assault by the Hessians. After witnessing her husband's fall, she courageously performed his duties until she herself was severely wounded, and thereafter became totally incapacitated. In 1779, Congress declared her the first woman pensioner of the new nation. She was buried at West Point with full military honors in recognition of her service in action.

### **Section 14. NYS Assemblyman Ivan Lafayette Way**

Introduced by Council Member Dromm

July 28, 1930 – October 4, 2016

Ivan Lafayette served over 30 years in the State Assembly and was a veteran of the United States Army. Throughout his career, he advocated for schools, passed legislation that made it illegal to drive without insurance and was also one of the first elected officials to support same-sex marriage in New York. He was a founding member of the Jackson Heights/Elmhurst Kehillah, or Jewish Community Council, a member of the Jewish War Veterans Post 209, president of the Jackson Heights Community Federation and a trustee of the North Queens Homeowner and Civic Association.

### **Section 15. Jessie Streich-Kest Way**

Introduced by Council Member Eugene

Jessie Streich-Kest was killed on October 29, 2012 by a falling tree limb while walking her dog. She was a committed social activist, an energetic and enthusiastic public school teacher, a passionate lover of animals and a supportive daughter and friend. She attended Edward R. Murrow High School in Midwood and graduated from the University of Pennsylvania in 2009. It was her experience at Murrow that first inspired her to become a public school teacher. In college, Jessie worked as a field staffer in the first Obama campaign. After college, she took a job with the Schneiderman campaign, running the Brooklyn operation at just 22 years old. Her passion was to become a teacher. She began to fulfill that goal when she was accepted into the New Visions/Hunter Urban Teacher Residency program for the 2011-12 school year. In September of 2012, she launched her career as a NYC public school teacher after receiving her Masters of Education. She was teaching 10<sup>th</sup> grade Special Education students at the Bushwick School for Social Justice. Her impact in the school lingers to this day in the spirit she brought to the SPED department and the systems and changes she put in place to service BSSJ's neediest students. Prior to that year, SPED students passed classes at an average of about 55-60%. In the past two years, those rates rose to 75% and above in most classes and have stayed there since. In just a few short months, Jessie contributed to the lasting strength of the school community. She was a committed animal rights activist who fought for an end to the abuse of carriage horses. As a passionate member of NYCLASS, she co-led protests against horse carriages in Central Park and had most recently lent her passion to New Yorkers for Clean, Livable, and Safe Streets. Jessie was the daughter of Fran Streich,

community organizer for the United Federation of Teachers and the late John Kest, executive director of New York Communities for Change.

### **Section 16. Rebbetzin Chaya Mushka Schneerson Square**

Introduced by Council Member Eugene

March 16, 1901 – February 10, 1988

Rebbetzin Chaya Mushka Schneerson was the daughter of the sixth Rebbe of Chabad and was married to Rabbi Menachem Mendel Schneerson, leader of the Chabad movement. Along with her husband, they led the global Chabad-Lubavitch movement, which would become the largest Jewish organization in the world that inspired Jewish activism in the United States and the world after the Holocaust. Throughout her life she repeatedly risked her life to help others under both Soviet and Nazi rule. She lived in Crown Heights from 1941 until her death, and soon after, Campus Chomesh was built on Lefferts Avenue in Brooklyn in her memory. Today, Campus Chomesh is the largest Jewish girls school in the world.

### **Section 17. Carole Schaffer's Way**

Introduced by Council Member Eugene

Carole Schaffer served as a Lefferts Manor Executive Board Member for many years and as the vice president for the last 12 years. The Lefferts Manor House Tour which is now in its 46<sup>th</sup> year was almost singlehandedly run by her. She worked tirelessly for years, not for fame, but for her love of the community. The Executive Board of the Lefferts Manor Association was like her extended family and her goal was to have a strong, vibrant and progressive organization. She was a community advocate working to better everything from sanitation to security measures. As a founding member of the Prospect Park East Network, she assisted in the battle to force the developer of 626 Flatbush Avenue to reduce the height of the building to a height that is more acceptable to the neighborhood. She received a citation from the Brooklyn Borough President's Office for her work and dedication for over 35 years to the community and was a recipient of the Lefferts Manor Association President's Award.

### **Section 18. Helen Marshall Blvd**

Introduced by Council Member Ferreras-Copeland

September 30, 1929 – March 4, 2017

Helen Marshall founded and was the director of the Langston Hughes Library on Northern Boulevard in 1969. She served in the State Assembly for eight years and then served on the City Council for 10 years. She became the first African-America and the second woman to serve as the Queens Borough President from 2002 until 2013. She supported job training program and economic development and was a devoted supporter of the Queens Library.

### **Section 19. Alberto Ingravallo Way**

Introduced by Council Member Gentile

Alberto Ingravallo was born in Italy and later immigrated to the United States where he received his diploma as a mechanic at the Automotive High School of Brooklyn. He later became a teacher at the Automotive High School in Brooklyn. He also enlisted in the United States Army Reserve. He was a member and treasurer of the Independent National Democrats Club. He developed COOP and condominiums for the Brooklyn community and also dedicated himself to coaching and refereeing youth soccer. He was a founding member of the soccer referee association of Staten Island and continued to referee until 2011. He also initiated a musical cultural exchange program between Mola di Bari and New York in 2001. He was a member of the Congrega SS Addolorata and established the annual Concerto della Festivale de Maria SS Addolorata.

### **Section 20. EMT Yadira Arroyo Way**

Introduced by Council Member Gibson

December 22, 1972 – March 16, 2017

Yadira Arroyo was killed in the line of duty when a man was trying to steal her FDNY ambulance and struck her.



**Section 21. Steve Halfon Way**

Introduced by Council Member Greenfield

May 15, 1950 – August 23, 2011

Steve Halfon was a beloved local small businessman who was brutally murdered in an armed robbery. Operating on Kings Highway in Brooklyn for 35 years, he sold clothing and then coins. In the clothing business, he deeply discounted the suits he sold to young rabbinical students, made charitable donations to Israel, and to people attending funerals or going on job interviews. For many of his lower income customers, he threw in free shirts or ties with the purchase of a new suit. He also made charitable donations to Israel. In the coin business, he regularly bought coins at little or no profit from people who were selling theirs in times of need. He also set up a free coin incentive program with a local school, giving troubled students more reason to succeed and the opportunity to develop a new collecting hobby and lifelong interest. He was a longtime active member and volunteer with Midwood Civic Action, now the largest organization of senior citizens in southern Brooklyn, which meets regularly and elevates issues of importance to its members.

**Section 22. Jack M. Friedman Way**

Introduced by Council Member Grodenchik

April 12, 1959 – April 9, 2015

Jack Friedman served as the Executive Director of the Queens Chamber of Commerce for 7 years and also served on Community School Board 26 for ten years and served as president for five of those years. He also served on the New York State Joint Legislative Task Force, Community Board 13Q, was president of the Coverdale Gardens Co-op, served on the board of directors of the Rocky Hill Civic Association, served as chairman of the board of education of the Hebrew School at Bellerose Jewish Center and served as president of the Middle School 74Q Parent Teacher Association.

**Section 23. Bella Abzug Way**

Introduced by Council Member Johnson

July 24, 1920 – March 31, 1998

Bella Abzug spent much of her life fighting social and political change. Bold and outspoken, she was a leading liberal activist and politician in the 1960's and 1970's, especially known for her work for women's rights. She represented Greenwich Village and other parts of lower Manhattan in Congress and lived and worked at 37 Bank Street for over 40 years. She attended the local public schools, Hunter College, Columbia University Law School and did graduate work at Jewish Theological Seminary of America. She was admitted to the New York Bar in 1947 and commenced a civil rights law practice in New York City; opening a Day Care Center in her first office at the Duplex on Christopher Street. As Congresswoman, was active in labor law; a founder and member of National and State New Democratic Coalition, an initiator and national legislative representative and helped create the Women Strike for Peace Movement. She was a delegate to Democratic National Convention in 1972 and 1980 and was elected as a Democrat to the Ninety-second Congress and to the two succeeding Congresses, January 3, 1971 - January 3, 1977. She fought tirelessly for women's rights and for civil rights in general. In 1975, she made history when she introduced the first gay rights bill in Congress. She spoke out against poverty, racism and violence and was co-chair of the National Advisory Committee for Women. In 1977, she made a bid for mayor but lost to Ed Koch in the primaries. She helped found the National Women's Political Caucus, and wrote legislation making it illegal to discriminate against women trying to get credit, credit cards, loans and mortgages. She also co-authored the Freedom of Information and Privacy Acts, was chair of the Mayor's Commission on the Status of Women and was inducted into the National Women's Hall of Fame in Seneca Falls, NY.

**Section 24. Ms. Burmadine Hinds**

Introduced by Council Member King

August 1, 1939 – May 24, 2016

Burmadine Hinds held various job positions until she found her niche in hospital accounting. She worked in the field for almost twenty years, and then moved on to the New York State Department of Labor where she retired as a supervisor. She was a strong community activist and advocate for civil rights and was a member of The North Bronx Section of National Council of Negro Women (NCNW), the Williamsbridge Branch

NAACP, and was involved in numerous community activities such as voter rights and education. She furthered her passion for civil rights by becoming involved with many organizations and also served as President of the Harriet Tubman Humanitarian Achievement Awards Jubilee, President of the North Bronx Section of National Council of Negro Women, Chairperson of the North Bronx National Council of Negro Woman Child Development Center, Board member for the Williamsbridge Chapter of the NAACP, 47th Precinct Community Council, Mind Builders Creative Arts Center, Black United Leadership of the Bronx (BULB), Women of Wonder (WOW), Business and Professional Women's Club, Association for the Study of African American Life and History (ASALAH), and The No Child Left Behind Initiative. Her heart and soul was with NCNW of which she was co-founder of the Child Development Center, was a charter member of the North Bronx Section, a Legacy Life Member, and a Bethune Achiever several times. During her spiritual walk, she fellowshiped and attended various churches until 1980, when she became a member of United Christian Baptist Church. She served in the following positions over a span of many years: Member and Vice President of the Senior Usher Board, Member and Vice President of the Pastor's Aide, Co-Chair of the Women's Day Ministry, Chairperson of Trustee Ministry, Youth Ministry Matron and worker, and on various other committees.

### **Section 25. Samuel Simpson Way**

Introduced by Council Member King and Torres

Samuel Simpson was born in Jamaica, West Indies and later relocated to the United States in the early 1960s. He was ordained at Evergreen Baptist Church in Brooklyn, N.Y., in 1963 and pastored Bronx Baptist Church for 45 years and Wake-Eden Community Baptist Church 39 years. He received a Master of Professional Studies from New York Theological Seminary, was a Merrill Fellow at Harvard Divinity School, and a Senior Common Fellow at Regents Park College of Oxford University. He received honorary doctorates from Asia Bible College and Martha's Vineyard Theological Seminary. He served two terms as president of the Baptist Convention of New York, was the founding pastor of the Bronx Baptist Church and Wake-Eden Community Baptist Church, both in New York, and was a Home Mission Board (North American Mission Board) missionary. He was often called the "Bishop of the Bronx" who helped pave the way for African-Americans to serve in Southern Baptist life. He was a founding member and two-term president of the Clergy Coalition of the 47<sup>th</sup> Precinct of New York and was chairman of the Board for the Council of Churches of the City of New York. He was instrumental in founding several New York churches, including Protestant Community Church in Northern Bronx, Honeywell Baptist Chapel and New Hope Mission in Spring Valley, and Grace Baptist Chapel in the Bronx.

### **Section 26. J.W. Smith Way**

Introduced by Council Member King

July 20, 1948 – August 23, 2017

John Smith was joined Grace Baptist Church, under the leadership of Rev. W. Franklyn Richardson in 1995, and served in many leadership positions, many at the same time. In March, 2005 he was ordained into the Grace Deacons' Ministry and served multiple terms as President of the Men's Ministry and was honored as one of the three men chosen annually for their dedicated service. He was a charter member of the Men's Choir and the Peace Keepers and a member of the Laymen's Unified Missionary Baptist Association, as well as an active member of the Usher's Ministry, the Veteran's Ministry and President of the Transportation Ministry. In this position, not only did he coordinate transportation for disabled and elderly members, he also served as a driver and youth advisor during the Youth's Midnight Run, driver for the Annual Sunday School Retreat, as well as transporting our youth to participate in the Empire Baptist Missionary Convention. For several years, he recruited members to secure toys for Faith Mission during the Annual Toy Drive and was assigned as the Spiritual Advisor for the Station of Hope (Prison) Ministry. In 2011, he was asked to serve on the Board of Directors for Ujamaa Community Development Corporation. He served on the boards of the Marcella R. Brown Foundation, the Christopher A. Ridley Foundation and the NYC Community Emergency Response Team (CERT), a group of community-based volunteers trained in disaster preparedness and emergency response. He was very active in the 47<sup>th</sup> Precinct Community Council.

**Section 27. The Lucky Corner**

Introduced by the Speaker Council Member Mark-Viverito

The Lucky Corner is located on East 116th Street and Lexington Avenue, a site that represented both a crossroads and a borderline. Located on this corner was a subway stop for East Harlem's sole subway line, and cross-town as well as north-south buses traversed this corner. Lexington Avenue also signified the informal border between Italian Harlem--America's largest Little Italy—and Jewish East Harlem which was gradually replaced by El Barrio, the largest Puerto Rican community in the United States. Also, East 116<sup>th</sup> Street is East Harlem's major shopping street. Closer to the East River it served as Italian Harlem's corso, the street where the doctors, dentists, and political leaders lived. From 1924 until the 1960's, the Lucky Corner was the site of Election Eve rallies. The first took place in 1924 when "Marcantonio introduced Fiorello La Guardia," who was running for his second Congressional term from the East Harlem district.

**Section 28. FDNY Firefighter Dennis Heedles Way**

Introduced by Council Member Matteo

Dennis Heedles was a retired firefighter who was a first responder at Ground Zero on 9/11 who worked tirelessly in the recovery effort. He was a firefighter for 20 years and retired from Ladder Co. 76 in 2002. He died as a result of 9/11-related illness.

**Section 29. Richard L. Willis Way**

Introduced by Council Member Matteo

1935 – 1993

Richard Willis was very dedicated to the Grant City and Midland beach areas of Staten Island. He coached basketball, baseball and started up a soccer program at St. Christopher's Parish. He was President of the St. Christopher's Sports Program and Holy Name Society for many years and also donated his time to the religious education of the parish children. He was also one of the directors and coaches in the old Staten Island Babe Ruth league in the 1970's and 80's. He would keep the local gymnasium open for neighborhood teens on the weekends and late nights so as to have a place to play basketball and keep out of trouble. After his death, the Richard Willis Memorial Fund was set up to raise money for educational scholarships and to support needy youth programs. The scholarship is distributed to worthy children and organizations in the Staten Island Community. The Richard Willis Memorial Fund is a non-profit which holds an annual 3 on 3 youth basketball tournament and Valentines Dance to raise funds for the youth. The Fund initially was donated to the now defunct St. Margaret Mary's Sports program where he finished his basketball coaching career, but has now expanded from two scholarships in one school over the years to 16 scholarships in 8 schools now including; St Charles, Our Lady Queen of Peace, Our Lady of Good Counsel, St Clare, Blessed Sacrament, St Christopher, St Peter/Paul, and St Ann's. The Fund has also contributed some of its proceeds to the Children's 911 fund, Make A Wish Foundation for Staten Island Children, St Jude's Children Fund, CYO, St Peter/Paul Soccer club and the Staten Island Challengers.

**Section 30. Jackie Robinson Way**

Introduced by Council Member Mealy and Cornegy

Jackie Robinson played for the Brooklyn Dodgers and advanced the cause of professional African-American athletes. In 1955, he helped the Dodgers reach the pinnacle of Major League Baseball by winning the World Series. He retired in 1957 with a career batting average of .311 and in 1962, he became the first African-American to be inducted into the Baseball Hall of Fame. In 1972, the Dodgers retired his uniform number of 42. In 1964, he helped establish the African-American owned Freedom Bank and he also served on the board of the NAACP until 1967.

**Section 31. Richie Perez Way**

Introduced by Council Members Mendez and Palma

Richard Perez was born and raised in the South Bronx and attended public schools and the City University of New York in Harlem and later taught at James Monroe High School in the Bronx in the late 1960's. Soon

after, he began calling for community control of schools, and in 1969 joined the Young Lords, becoming its deputy minister of information and also editing its weekly newspaper, *Palante*. In the early 1980's, he helped found the National Congress for Puerto Rican Rights and became its national coordinator. As director of community development at the Community Service Society, a nonprofit group that serves the poor, he organized campaigns against racially motivated violence and pushed for voter registration. He also organized demonstrations calling for prosecutions in police brutality cases, including the case of Anthony Baez, a Bronx man who died after being put in a choke hold by a city police officer in 1994. He was an outspoken critic of racial profiling by the New York City Police Department and was a lead plaintiff in a 1999 lawsuit against the city aimed at abolishing stop-and-frisk searches by the department's Street Crime Unit. He helped found People's Justice 2000, a coalition of groups that demonstrated for the prosecution of officers after the precinct assault on Abner Louima and the shooting death of Amadou Diallo.

### **Section 32. Mary Spink Way**

Introduced by Council Member Mendez

Mary Spink was a former drug dealer and addict who spent five years in jail for dealing drugs. She later turned her life around and became heavily involved in her community. She received the Woman of Distinction Award from Senator Daniel Squadron among other numerous awards. She was the executive director of the Lower East Side People's Mutual Housing Association which now owns and maintains 32 low-income buildings in the East Village and Lower East Side, as well as managing eight low-income, tenant-owned Housing Development Fund Corporation buildings. She was an active in many organizations, including the Lower East Side People's Federal Credit Union, the Lower East Side Girls Club and the East Village Community Coalition. She represented a group of Avenue B tenants who lost their homes after their landlord let their building deteriorate, forcing out on the street for safety reasons. She led their legal fight and was able to get the tenants \$25,000 settlements.

### **Section 33. Nicholas Figueroa Way**

Moises Locon and Nicholas Figueroa were tragically killed in an explosion in the East Village. The explosion led to the collapse of three buildings and severely damaged a fourth building, and also injuring 22 people. As a result of this explosion and other gas-related incidents, the City enacted an extensive set of gas safety reforms.

### **Section 34. Moises Locon Way**

Moises Locon and Nicholas Figueroa were tragically killed in an explosion in the East Village. The explosion led to the collapse of three buildings and severely damaged a fourth building, and also injuring 22 people. As a result of this explosion and other gas-related incidents, the City enacted an extensive set of gas safety reforms.

### **Section 35. Joseph Papp Way**

Introduced by Council Member Mendez

June 22, 1921 – October 31, 1991

Joseph Papp was considered the single most creative and controversial figure in American theater. He founded the New York Shakespeare Festival in 1954 which was the first company to offer free productions of Shakespeare, with an emphasis on an American style of performance in the United States. The festival performed in the New York City's parks and opened its permanent, open-air home in Central Park, the Delacorte Theater in 1962. The Festival expanded in 1967, as the Public Theater opening in the landmark Astor Library building in the East Village. The company renovated the building to house five theaters where new works were displayed becoming one of the pioneers of the nonprofit theater movement in the City and across the United States. He launched over 900 productions changing the face of American theater and produced groundbreaking works by American playwrights.

**Section 36. Children's Court Way**

Introduced by Council Member Mendez

This co-naming will commemorate the 100<sup>th</sup> Anniversary of the opening of the court and the significance of its impact in the improvement of the lives of New Yorkers.

**Section 37. Ms. Magazine Way**

Introduced by Council Member Mendez

Ms. Magazine is an American liberal feminist magazine that is the first periodical to be created, owned and operated entirely by women. The magazine was founded in 1971 and brought attention to Women's Rights and domestic violence.

**Section 38. Mother Cabrini Way**

Introduced by Council Member Mendez

This co-naming will commemorate the 100<sup>th</sup> Anniversary of Mother Francis Xavier Cabrini's death, who established hospitals, schools, orphanages and immigrant services throughout the United States and became the first woman to be given the title of 'Missionary' and the first American citizen canonized as a Saint by the Vatican. The co-naming is also in connection with the Cabrini Medical Center that closed in 2008, which made a significant contribution to improve the lives of citizens of New York.

**Section 39. Assemblywoman Barbara Clark Way**

Introduced by Council Member Miller

June 12, 1939 – February 22, 2016

Barbara Clark represented the communities of Bellerose, Cambria Heights, Hollis, Queens Village, Floral Park and St. Albans, Queens with compassion and dedication as representative of the 33<sup>rd</sup> Assembly District from 1986 until her death in February of 2016. She was serving as Deputy Majority Whip in the New York State Assembly at the time of her death. She also served as Chair of its Education, Children and Families and Environmental Conservation Committees and head of the Education Committee of the Black, Puerto Rican and Hispanic Caucus. Other responsibilities included serving as head of the New York State Women's Legislative Caucus and as Commissioner of the Education Commission of the States. She was a fierce supporter of quality public education and was a leader in the campaign to obtain funds through the lawsuit of the Campaign For Fiscal Equity, she established the first magnet schools at Andrew Jackson High Schools in Cambria Heights, for she believed that the classes at the High School were too large. She supported schools in the City with such educational attainments as video studios and legal resource centers. Her legislation included banning predatory lending and increasing support for health care. Her allocations supported important civic and educational groups in her communities. Her colleagues termed her "a bold, courageous and dedicated public servant who defended the well-being of her fellow New Yorkers in every way possible."

**Section 40. Doris L. & Rev Walter A. Jones Sr. Way**

Introduced by Council Member Miller

Reverend Walter A. Jones, Sr. became active in the church at a young age. He started as a Sunday School Teacher and was elevated to the Superintendent of the Sunday School. He was a World War II Veteran with an Honorable Discharge. When he moved his family to Hollis, there were no churches in the neighborhood and he filled this void by organizing Bible study in his home. He was the Senior Pastor and organizer of the Majority Baptist Church in Saint Albans, New York. It was in his home, on October 6, 1960, where the Majority Baptist Church was born with six women and thirteen children. The church was named Majority Baptist Church in recognition of the church in Spartanburg, South Carolina where Walter Jones accepted the Lord as a young boy. He completed his ministerial studies at the New York Theological Seminary of New York City and the Bethel Bible Institute under the late Bishop Roderick Caesar, Sr. He also completed Bible Study Classes at the Bryant Memorial Baptist Church under the late Reverend Dr. Katherine Brazley, and was ordained in 1958. For over 49 years, Majority has been known to be a place of opportunity and a learning institution. He was the former President of the Baptist Minister's Conference of Queens and Vicinity; a member of the Baptist Minister's Conference of Greater New York and Vicinity; the Eastern Baptist Association; the Minister's Conference of Hampton University; the Empire Convention of New York State and

the National Baptist Convention; a member of the American Baptist Churches Metropolitan New York and served as “Area Minister of Queens” under the Reverend Carl E. Flemister, then Regional Executive Minister. After 47 years of Pastoral Ministry, on May 25, 2008, Reverend Walter A. Jones, Sr. retired as Senior Pastor and officially became Pastor Emeritus of the Majority Baptist Church.

Doris Jones was a member of Majority Baptist Church for 55 years. She was a member of the Missionary Circle, South Carolina, North Carolina and Virginia Ministry, Willing Workers, Nurses Unit, Sunday School Dept. and Women’s Fellowship. She was a “Block Watcher” and also served as Den Mother for Troop #279.

#### **Section 41. Margie Boyd Way**

Introduced by Council Member Miller

March 7, 1924 – June 29, 2017

Margie Boyd was the Co-Pastor and First Lady of the New Greater Bethel Ministries located in Queens, New York. She served as the head of the Bethel Christian School, the food pantries and the Women’s Department where she worked with over 2,300 young women daily. She was also a member of many civic organizations, worked closely with Community Boards and was the founder of the annual Give Back to the Community Day, where she would give the community clothing, food, music and other services.

#### **Section 42. Tuskegee Airman Dabney N. Montgomery Place**

Introduced by Council Member Perkins

April 18, 1923 – September 3, 2016

Dabney Montgomery served in the Army Air Corps as one of the Tuskegee Airmen during WWII and earned a Congressional Gold Medal. He was also awarded a Good Conduct Medal, the WWII Victory Medal; the European African Middle Eastern Service Medal with two Bronze Stars; a Service Award; the Honorable Service Medal; and, a Basic Driver and Mechanic Medal. He also served as a bodyguard to Rev. Martin Luther King Jr. during the 1965 march to Montgomery from Selma, Alabama.

#### **Section 43. Assemblywoman Geraldine L. Daniels Way**

Introduced by Council Member Perkins

September 9, 1933 – July 27, 2012

Geraldine Daniels spent the majority of her life and career serving the Harlem community. She was a member of the New Era Democratic Club, executive member of the Martin Luther King Jr. Democratic Club of Central Harlem and later served as Assemblywoman representing the 70<sup>th</sup> Assembly District in Harlem for 12 years. During her tenure, she secured funding for Harlem schools, chaired the Sub-Committee on Preventative Health Care and ensured that Harlem Hospital received its own licensing. She was the first African-American woman to chair a standing committee in the Assembly and chair the Majority Steering Committee. These accomplishments made her the first African-American woman to be significantly incorporated into the Majority Leadership. She was also a member of the New York Branch NAACP, the National Association of Negro and Business Professional Women and the Eastern Star Prince Hall Temple.

#### **Section 44. Manuel “Manny” Fiallo Jr. Way**

Introduced by Council Member Richards

Manuel C. Fiallo Jr. was a community activist who had a deep passion for improving the Rockaway peninsula. In 2007, the death of the well-known Far Rockaway rapper, Stack Bundles, sparked his passion to raise awareness on the issue of violent crime on the peninsula. He loved basketball and decided to honor the life of the rapper by organizing the Stack Bundles Stop the Violence Basketball Tournament with assistance from the 101<sup>st</sup> Precinct. In addition to the basketball tournament, he was instrumental in bringing specialized events to the Rockaways such as "Stop The Violence" men's and women's softball league; "Do it For Domo Talent/Fashion Show"; Break Every Chain: A Move Meant for Change annual sleepover; Annual Teen/Adult Job Fair; community health fairs; Unity in the Community Talent Show; Toys for Tots Christmas toy drive; RBI Baseball team; Santa Sleigh Parade; National Night Out; and the annual Turkey Giveaway during the holidays, all while providing support to local stakeholders.

#### **Section 45. Amanda Clarke Way**

Introduced by Council Member Richards

Amanda Leah Clarke was a community activist who resided in Queens. She had a deep passion for civic, community and political engagement and was actively engaged in several community groups such as the Federated Blocks of Laurelton, where she served as a block watcher during the crime spikes of the 1970's and 80's, and the Laurelton Garden Club. After the murder of her son Michael in 2002, she teamed up with friends and community members to form the Michael Arthur Clarke Foundation which provides scholarships to deserving students in southeast Queens. In addition to her community activism, she was elected to be the Democratic Party District Leader and in 2001 and she ran for the New York City Council in the 31st District of Queens. Although she did not win, she remained actively involved in numerous campaigns under the titles of volunteer, donor, and fundraiser.

#### **Section 46. Santiago Cerón Way**

Introduced by Council Member Rodriguez

Santiago Cerón was the Dominican Republic's first internationally known salsa singer. He was best known for his hit song, "De Borojol le traigo un son." He was born in Santo Domingo and later studied at the Bellas Artes. He worked as an exclusive radio and television artist of the famous Dominican Voice. He arrived in New York in 1963 and sang with Arsenio Rodríguez and Pete "Conde" Rodríguez Orchestra. He also collaborated with Tony Pavón and La Protesta. He also had fame as a solo artist with albums like "Abriendo puertas," "Navegando con sabor," and "Canta si va a cantar."

#### **Section 47. Flor Maria Miolan Way**

Introduced by Council Member Rodriguez

February 22, 1928 – December 7, 2015.

Maria Miolan was born in Dajabon, Dominican Republic. In 1962, she fled the country seeking safety against the dictatorship of Rafael Leónidas Trujillo Molina's regime. The Miolans' were targeted by the regime and Ms. Valentin, specifically for speaking against and his cruelty against children; she was on his hit list to be murdered. The United States of America offered refuge and she arrived in New York City with only \$5 in her pocket. She lived in a room on 172<sup>nd</sup> Street and performed odd jobs until 1966 when she earned enough money to move uptown to 184<sup>th</sup> Street. Her youngest daughter was born with Down Syndrome and she did not institutionalize her as was suggested at that time, instead she opened her home to other needy kids and raised them all together. She provided "Safe Haven" prior to our "Safe Haven Laws" for the children of the homeless, street workers, mentally-ill, drug addicted and she raised over 100 children. The children would be dropped off by their parents and no questions were asked with the exception of the child's name and birthdate. She was known as "Mami Flor" because she was everybody's mother. Maria gave them unconditional love and every child that entered her home was fed, taken to school and given a place to sleep if needed. She took it upon herself to keep or make their respective doctor's appointments, make sure each child went to religion instructions and mass on Sundays. Many of the children she cared for received their First Holy Communion and Confirmation because of her. She often took children sight-seeing and on summer vacations allowing many to experience places they would not otherwise, giving them memories to cherish forever. Most importantly, she made sure each child was cared for and loved unconditionally as if they were her very own. A memory often shared is that all the children would line up in the kitchen with their personal plate (all plates and cups were marked with their names in marker) to be served their food. They would all receive .50 cents every Sunday for church offerings. She leaves behind 5 biological children, 12 grandchildren, and 12 great-children with over 100 "adopted children" and their offspring.

#### **Section 48. Bertha Simons Lee Way**

Introduced by Council Member Rose

October 3, 1930 - September 11, 2014

Bertha Simons Lee was a volunteer who was honored with numerous awards for her efforts. She was an active member of St. Philips Baptist Church as a member of the board of trustees, as financial secretary, president of the Senior Usher Board, as executive chairperson of the Charles K. Smith Scholarship Committee, which offered college scholarships to high school seniors who were members of the church and non-members

in the community. She was a member of the National Association of Negro Women of Staten Island, Community Board 1, the Port Richmond Neighborhood Watch Committee, published journals for the church and volunteered to coordinate the Sweepstakes Table during the annual Harambee celebration. She was a member of Staten Island's NAACP and a board member of Northfield LDC.

#### **Section 49. Saxophonist Eric R. Dixon Way**

Introduced by Council Member Rose

Eric Dixon began playing the saxophone at the age of 12 and by the age of 15, he started playing professionally with Peter Lusetti. He served with the United States Army in 1951 and played with the 173<sup>rd</sup> Army Band at Fort Dix. After his discharge in 1953, he continued playing saxophone with Bugs Hunter, Benny Green, Steven Cooper and many others. He had a 32 year career with the Basie Orchestra where he arranged and composed as musical director. He was featured on the album, "The Legend, The Legacy, The Count Basie Orchestra."

#### **Section 50. Firefighter Roy E. Smith Way**

Introduced by Council Member Rose

Roy E. Smith grew up in Staten Island and joined the United States Air Force at 17 and quickly rose through the ranks, achieving the rank of United States Air Force sergeant and became the youngest staff sergeant in the USAF when he was promoted to that rank at that time. He served in Vietnam and upon his return home, he joined the FDNY at Engine 16, Ladder 7 in Manhattan and Engine 156 in Staten Island. He was a responder during the 9/11 terrorist attacks at the World Trade Center and later died as a result of 9/11 related illness.

#### **Section 51. Dennis M. Hogan Way**

Introduced by Council Member Rose

March 2, 1961 – November 7, 2016

Dennis M. Hogan was born in Brooklyn and grew up in New Dorp. He attended Our Lady Queen of Peace School and Monsignor Farrell High School before relocating to the North Shore. He had a long career in telecommunications and worked for Verizon, Time Warner and, most recently, Charter Communications. He was devoted to his family, his friends, and his community, and is remembered as a generous and caring man. He was an active member of the Manresa Council of the Knights of Columbus and leaves behind a legacy of charity work. He ran fundraisers to offset medical costs for terminally ill children. He would host service personnel from the ships docked at the Stapleton Homeport as part of the Adopt-A-Sailor Program. On top of his work, he also volunteered for over two years to help restore communications for Verizon at the World Trade Center site after the 9/11 terrorist attacks which many believe contributed to his passing at an early age.

#### **Section 52. Samuel A. Browne Way**

Introduced by Council Members Rose and Matteo

1873 – 1970

Samuel Browne was born in Washington, D.C. and enlisted in the Army in 1898 during the Spanish American War. After the war, he eventually purchased a home for him and his family in Castleton Corners, Staten Island. During this time in 1924, Castleton Corners was an all-white neighborhood. When neighbors heard that an African-American family had moved into the area, they lobbied together to try and purchase the house to get the Browne family out of the neighborhood. When that failed, marches and demonstrations were organized outside their home. Rocks were thrown at the house, their lawn and hedges were destroyed and crosses were burnt on the lawn with letters sent to the house signed by the KKK. His children were verbally and physically abused while they attended PS 29. These acts of violence and abuse occurred for over a year until a group of African-Americans banded together to form the Staten Island Chapter NAACP to help provide support and assistance for the Browne family.



### **Section 53. Honorable Louis R. Jerome Way**

Introduced by Council Member Rose

August 22, 1926 – October 2, 2015

Louis R. Jerome was a retired judge for the New York State Workers' Compensation Board and a World War II veteran. He was drafted into the United States Navy as he graduated from William L. Dickinson High School in Jersey City. In just two years of service during World War II, he earned a Naval Unit Commendation, a Philippine Liberation Ribbon, an Asiatic Pacific Medal, a Victory Medal and an American Theater Medal. He was discharged in 1946 a yeoman third class. Throughout his career, he had a private law practice until 1965, then he served in the state attorney general's office and in 1971, was appointed a judge for the state Workers' Compensation Board until he retired 27 years later. However, it was an incident in his courtroom on the 36th floor of Tower 2 of the World Trade Center in July 1978, that became a benchmark where he was termed a "hero judge." An unemployed machinist whose claim was under consideration threatened to blow up the state compensation office with 80 pounds of dynamite and a grenade. More than 4,000 people were evacuated while Judge Jerome and three others were held hostage. As the siege dragged on for nine hours, the judge took the matter into his own hands by charging the machinist with a state flagpole. He was also an active member of the Republican Party, the Cespino-Russo Post, American Legion, South Beach, and the American Committee on Italian Migration.

### **Section 54. Rising Star Coach "Eddie" Watkins Way**

Introduced by Council Member Rose

Died April 2017

Edward Watkins founded the Rising Stars basketball program on the North Shore of Staten Island in the 1970's. By the 1990's, the program consisted of over 300 youths from all over Staten Island. He has been honored by many organizations including the New York Knicks for his service to the community as part of the NBA team's Basketball in the Boroughs Program in 2014. In 1998, he won an \$800,000 settlement in a lawsuit against the city, Borough President Guy Molinari, Borough Hall staffers, Parks Commissioner Henry Stern and Island Parks officials for mistreatment on his job with the Parks Department. He used some of the lawsuit money to pay entry fees for tournaments for his Rising Stars team and players.

### **Section 55. Education Activist Lilian Popp Way**

Introduced by Council Member Rose

Died August 3, 2017

Lilian Popp was a longtime education activist who influenced the lives of countless students throughout her teaching career. She was born in Brooklyn and later relocated to Port Richmond. In 1917, her Aunt Elmire Gwinnell started the "Mother's Club," which blossomed into the Staten Island Federation of PTAs. Mrs. Gwinnell, who died in 1986, was an Advance Woman of Achievement in 1977. Lilian Popp would later join the roster in 1994. She compiled five anthologies of literature, and edited three books. Her first published work appeared as a letter to the editor in the Staten Island Advance at the height of World War II. In the 1945 letter, she took the minority view, protesting discrimination against a "negro nurse." After earning her bachelor of arts degree from the former Notre Dame College, Mrs. Popp did postgraduate work at Columbia University and received her master's degree in education from Hunter College. She began teaching at McKee Vocational and Technical High School, where she was chair of academic studies, before going on to become principal of William Howard Taft High School in the Bronx. In 1970, she interviewed for a principal's position at Susan Wagner High School, but was turned down because she was told they didn't want a female principal. She later became Staten Island's Community School Board president, lobbying for more female principals in the 1980's. She was president of the Committee for a Nuclear Free Island, vice president of Staten Islanders Against Nuclear Weapons, founder and president of the Coalition of Staten Island Women's Organizations and sat on the board of directors of the Staten Island Mental Health Society. She organized protest marches along Bay Street, and took her anti-nuke campaign to Washington and Newark. She also launched a student-run escort service, where students accompanied seniors to grocery stores and doctors' offices and an early teen pregnancy program at Taft. She received the Women Helping Women Award from Soroptimists International, the Thomas Wilson Award for Substance Abuse Prevention, the Woman of Distinction Award from the World of

Women and the Paul O'Dwyer Humanitarian Award from the Staten Island Democratic Association. She's listed as a female educator in the Who's Who of American Women, was named an Outstanding Woman by former State Senator Vincent Gentile, and received the Women's History Month Award from former City Council Chairman Peter Vallone, the late Councilman Jay O'Donovan, and then City Councilmen James Oddo and Stephen Fiala.

#### **Section 56. James and Rina Garst Way**

Introduced by Council Member Rosenthal

James D. Garst was a longtime advocate for affordable housing, serving as founder of the New York State Tenants and Neighbors Coalition, and was a longtime Board member of the Mitchell-Lama Council. Mr. Garst was also a member of the Merchant Marines. Rina Garst was a dedicated community activist on the Upper West Side for more than half a century. She was an anti-war activist and had extensive involvement in the labor and civil rights movements. She was instrumental in the creation of a housing program called Naturally-Occurring Retirement Community (NORC) for three Upper West Side buildings. She established what became the Goddard-Riverside NORC, was director of the Education Council of District Council 37-AFSCME, worked for the Department of Consumer Affairs and managed Socialist David McReynolds' 1968 campaign for Congress on the Peace and Freedom Party ticket.

#### **Section 57. Detective First Grade Steven McDonald**

Introduced by Council Member Rosenthal and The Speaker Council Member Mark-Viverito

March 1, 1957 - January 10, 2017

Steven McDonald joined the NYPD in 1984 and in 1986 at the age of 29, with two years on the police force, he was shot by a 15 year-old boy in Central Park and became paralyzed from the neck down. He forgave his assailant and made many public appearances over the years spreading the message of forgiveness to the public. The Steven McDonald Extra Effort Award has been presented each NHL season since 1987-88 to the Rangers player who goes above and beyond the normal call of duty.

#### **Section 58. Dr. Richard Izquierdo Way**

Introduced by Council Member Salamanca

Richard Izquierdo was very dedicated in serving the medical needs of his community. For many years, he was one of the few doctors in the community and became an icon for the neighborhood. He graduated from University of Lausanne Medical School in Switzerland in 1957, and completed his internship and residency programs in pediatrics at Fordham Hospital and post-graduate courses at New York University. In 1962, he opened his first practice on Southern Boulevard in the Bronx, two blocks from where he grew up. In 1967, he was appointed by Borough President Herman Badillo to be the first chairman of the newly formed Community Planning Board. He also served as the Chairman of the 41<sup>st</sup> Precinct Community Council for fourteen years. That same year, he purchased an abandoned building on Southern Boulevard and Westchester Avenue with a down payment of \$3000 to create the San Juan Health Center. The San Juan Health Center, operated until 1974, when it became Urban Health Plan, Inc., a federally qualified community health center licensed by New York State. Today, Urban Health Plan is one of the largest health centers in New York State. He also served on numerous and varied organizations. He hosted a radio program called "Puerto Rican Panorama" on NBC and interviewed over 150 prominent Puerto Ricans. He was an active member of the Bronx Medical Society and the Medical Society of the State of New York, as well as the Spanish American Medical-Dental Society. He has served on the board of the Association for the Help of Retarded Children for over 20 years. This recognizes the needs of children with special needs and developmental disabilities. On January 23, 2007, Doc was awarded the Surgeon General's Medallion from the 17<sup>th</sup> Surgeon General of the United States, Richard H. Carmona, M.D., M.P.H., FACS, This award is the highest honor that the Surgeon General can bestow on a civilian or officer. In September 2010, the community celebrated the opening of the Dr. Richard Izquierdo Health and Science Charter School. The school is the first charter school in New York City to offer a Career and Technical Education program geared specifically toward preparing students for jobs in the health care sector, including Emergency Medical Technician (EMT) certification.

### **Section 59. Rev. Dr. Fletcher C. Crawford Way**

Introduced by Council Member Salamanca

Fletcher Crawford served in the United States Army during WWII and later received his Ministerial License on May 16, 1947. He became the assistant pastor of Union Grove Missionary Baptist Church and led a congregation of over 500 hundred members for 50 years in the South Bronx. He was a member of the Baptist Ministers Conference of Greater New York Vicinity, served twice as president of the Baptist Ministers Evening Conference, was a member of the United Missionary Baptist Association, the Empire Missionary Baptist Convention and the National Baptist Convention. He was also responsible for constructing the new Union Grove Missionary Baptist Church in 1984 on Hoe Avenue. When completed, he initiated the Back to School Youth Block Party, the Senior Citizens Holiday Fellowship Dinner, the Summer Community Health Fair and Divine Union Summer Day Camp.

### **Section 60. Lorraine Montenegro Way**

Introduced by Council Member Salamanca

Lorraine Montenegro was a community activist who fought for the welfare of South Bronx residents and created United Bronx Parents, a social service agency with her mother, Evelina Antonetty, in the mid-1960s. Their advocacy work and activism through this organization provided educational services to children and families, supportive housing that allowed mothers in recovery to live with their children, and services to older people at a time that was crucial to many who lived through tremendous hardship in the South Bronx. While visiting Puerto Rico, she died on October 1, 2017 in the aftermath of Hurricane Maria, while trying to receive medical attention due to dehydration and respiratory distress.

### **Section 61. Louella Hatch Way**

Introduced by Council Member Torres

June 13, 1939 – July 23, 2017

Louella Hatch was a renowned community advocate in the Fordham neighborhood, who was known for her decades of work in the Bronx fighting to improve quality of life and housing conditions. She began tenant organizing with the Northwest Bronx Community and Clergy Coalition, informing her neighbors of their rights and mobilizing them to transfer of the building from a negligent owner to a new accountable landlord. She was a constant presence in the civic life of Community Board 5, attending every 46<sup>th</sup> Precinct Community Council meeting. She served as the President of the Precinct Council for many years and coordinated many annual events, including a play street in the summer, her own National Night Out block party, and a toy and clothing drive during the holidays.

### **Section 62. Association Caggianesi D’America Way**

Introduced by Council Member Treyger

Association Caggianesi d’America was founded in 1996 by a group of Italian-Americans living in New York City and New Jersey who can trace their Italian lineage to the southwestern town of Caggiano. The organization’s history and values are rooted in the “Caggianesi di Mutuo Soccorso” (Caggianesi Provident Society), a society founded on March 31, 1903, whose mission was to preserve Caggianesi culture, celebrate America, and help all those in need. During the first Sunday of May and October of each year, Association Caggianesi D’America organizes events to celebrate Madonna del Rosario, the patron saint of Caggiano and the society, and St. Anthony of Padua. These events include religious services in Italian, and traditional foods being shared. The organization also puts on an annual gala which awards community leaders, and various different social events such as picnics, dinners, and Christmas parties. The organization also marches annually in the Christopher Columbus Parade. The organization awards scholarships to graduating high school seniors for college, and provides support to charitable organizations. Some of these include the Cystic Fibrosis Foundation, St. Francis Church, St. Dominic Church, as well as direct support to needy Caggianese families in New York. In the past, the organization has sponsored the Folklorico Group, a group of approximately 40 Caggianese youth, to perform in the Tri-State area. The group performs songs and dances in 1800’s attire and uses traditional instruments. The work of the organization is also international. With an established partnership with a formal partnership with the Federation of Campania and the village of Caggiano, the organization puts on events there as well as exchanges for their members. This year, members of the

organization, Giuseppe Vecchio and Antonio Mastroberti, held an event at the Guiscardo Castle in Caggiano, Italy, titled “Parla-M Lu Ndiale-TT,” which introduced a new project to preserve the native Caggianesi dialect and culture. The organization has also had student exchanges and exchanges with older Italian-Americans with the aim of reconnecting with their family’s birthplace in Caggiano.

### **Section 63. Pastor Agustín Quiles Jr. Place**

Introduced by Council Member Treyger

October 27, 1947 – July 1, 2017

Pastor Agustin Quiles Jr., affectionately called the “Pastor of Coney Island,” was a community leader. He was born in Mayaguez, Puerto Rico and was known for being studious. He graduated from Seward Park High School and then the International Bible Institute. Through his life, he was able to earn a Bachelor’s Degree and two Doctorate degrees in Divinity and in the Humanities. He was ordained as a priest at the age of 27 and became the co-pastor of the Pentecostal Church of Jesus Christ, “Christ is Coming” in Coney Island and after seven years, he became the Senior Pastor. He remained at the church as Senior Pastor for 35 years, where he grew the church’s membership, expanded its service to others, and opened its doors to everyone. In New York City, he was renowned as a chaplain with the New York Police Department and New York Department of Corrections, and received various proclamations from the City of New York. He was a member of the Executive Committee of the International Council for Pentecostal Churches of Jesus Christ for over 40 years, as well as a board member of Christian Vision Radio for over 5 years. He taught at the International Bible Institute for more than 40 years and was also known for providing funeral services to community members who couldn’t afford their own. He would utilize the church’s resources to feed the homeless and volunteer at soup kitchens and provided family counseling, couple’s counseling, and presided over weddings. He visited the sick and elderly who were homebound, as well as the local hospitals and senior centers. His leadership in the community was perhaps most evident during Superstorm Sandy when he dedicated most of his time and resources to helping all those affected by the storm by providing warm meals and clothing, FEMA assistance, OSHA classes, trainings, and even helped provide shelter for those who couldn’t make it back to their homes. This was particularly remarkable since Pastor Quiles’ own home, as was his children’s and his church, was directly impacted and destroyed by the storm.

### **Section 64. Rosia Wyche Way**

Introduced by Council Member Treyger

January 8, 1943 – September 6, 2013

Rosia Wyche was a pillar in the Coney Island community. She was born in Warsaw, North Carolina and graduated from Charity High School in North Carolina, before attending Boston University, where she majored in Administration. Upon graduation, she moved to Coney Island, Brooklyn, NY. She ultimately got a job at Coney Island Hospital, where she worked for 31 years where she held numerous important roles, such as being an EKG Technician, a licensed Phlebotomist, and an HMO Outreach Coordinator. She then became an Administrator, a position she held for over 20 years and retired in 2003. She advocated for her fellow tenants in public housing as a longtime resident of Coney Island Houses, where she was an advocate for the New York City Housing Authority (NYCHA). Among her fellow residents at Coney Island Houses, she was well known for always helping to organize various events, including the annual Coney Island Houses outdoor/indoor summer festival. She was a member of Community Board 13, where she served on various committees, including the Housing, Zoning and Land Use committee, the Police, Fire and Public Safety committee, the Health, Aging and Social Service committee, and the Youth Services committee. Her greatest accomplishment as a board member was helping to restore Nautilus Playground, a vitally important place for children in the community. She started the African-American Senior Club, a social club open to everyone at the Surfside Gardens Community Center was integral to helping establish the Coney Island Prep Charter School, which is in the Carey Gardens Community Center in 2009. She also served as Press Secretary to the Bishop at the Coney Island Cathedral of Deliverance church. She was also a Tenant Association Patrol Supervisor, and a member of the Resident Advisory Board (RAB). She also later became the President of the Coney Island Houses Residents Association, Chairperson of the Brooklyn South Council of Presidents (COP), a member of the Citywide Council of Presidents (CCOP), and the 2nd Vice President of the Citywide Council of Presidents.

**Section 65. Chief Christian Hoobs Way**

Introduced by Council Member Ulrich

Christian Hoobs dedicated his life to the Broad Channel community as an activist, local business owner and operator. He voluntarily helped build both the Broad Channel Volunteer Fire Department (BCVFD) and St. Virgilius Church buildings, that both strongly stand today. He was a brave firefighter that risked his life for others in the community. He was elected the BCVFD's fourth Chief of Department in December of 1912 holding the office until his untimely death on June 14, 1917, he was only 48 years old. On June 14<sup>th</sup> while eating dinner, he heard the fire bell ring. Chief Hoobs hurried to lead his men into the fire, but experienced a heart attack while responding to the fire.

**Section 66. Frank Skala Way**

Introduced by Council Member Vallone

Frank Skala was a community activist and civic leader who was awarded the state Senate's Liberty Medal, one of New York's highest civilian honors. He was a retired teacher who founded the East Bayside Homeowners Association and created the first series of alumni books and an alumni association for Bayside High School. He co-founded the Friends of Bayside High School and was a former member of Community Board 11. He organized the Bell Boulevard Restoration coalition and was a member of the Coast Guard Restoration Advisory Board at Fort Totten.

**Section 67. Alphonse "Al" Volpe Way**

Introduced by Council Member Van Bramer

November 13, 1925 – December 9, 2015

Al Volpe was a Woodside resident and board member of Woodside on the Move, a non-profit organization that runs free community programs. He was very vocal on transportation issues in the community. He applied his volunteer efforts to improving the quality of life of his neighbors. While working professionally in Information Systems, he served as Vice President of the Federation of New York Housing Cooperatives and Condominiums working to help tenants of rental buildings converting to middle-income cooperatives to navigate the conversion process and to protect their investment in housing ownership. He served for twenty-seven years as a Board Member and Officer of Berkeley Cooperative Towers in Woodside and also served as President of the Woodside Community Council, an umbrella civic association, and the Woodside Anti-Crime Committee which was instrumental in starting the Police Auxiliary of the 108<sup>th</sup> Precinct. He also served as Vice President of the 108<sup>th</sup> Precinct Community Council. When the MTA temporarily halted #7 Express service for repairs and wanted to make it permanent, he and fellow commuters started the #7 Flushing Line Committee documenting the train overcrowding making it impossible to board the #7 trains in Western Queens. Then they successfully lobbied Borough of Queens and City Hall to restore the #7 Flushing Line Express Service. In addition, he also served as Vice Chair of the Board of Directors of Woodside On The Move and President of the Board of Directors of Woodysun Senior Housing in Woodside. He was a very active member of Queens Community Board 2 and its City Services, Transportation and Environmental committees for over thirteen years. Al Volpe's long-term dedication to civic matters in Western Queens has improved the quality of life of his neighbors and community.

**Section 68. Rev. Dr. Robert J. Johansson Way**

Introduced by Council Member Van Bramer

Died October 2016

Robert Johansson served his Queens community for over 50 years as the leader of the Evangel Christian Church. He purchased P.S. 4 in the 1980's and formed the Evangel School providing youth education. Today, the school has over 550 students and is known for its academic excellence and giving out \$600,000 each year in scholarships. The church was used to provide social services to the community and he provided services for solace to the Pam's Place Homeless Shelter residents. The church also set up clothing drives

**Section 69. Lily Gavin Place**

Introduced by Council Member Van Bramer  
Died July 2016

Lily Gavin was the owner of Dazies Restaurant in Sunnyside, Queens and a leader in the community. She was very active in several community groups such as the Sunnyside Chamber of Commerce and the Sunnyside Senior Center. She was the honorary director of the LaGuardia Community College Foundation and she was responsible for raising money to repair the Sunnyside Arch sign. She supported the local YMCA, the Boys and Girls Club, and the Queens Council of Tourism and was one of the first women to join the Sunnyside Kiwanis Club. She was also a founding member of the Sunnyside Shines business improvement district and sponsored many events either financially or by providing food.

**Section 70. Vincent Cannariato Jr. Way**

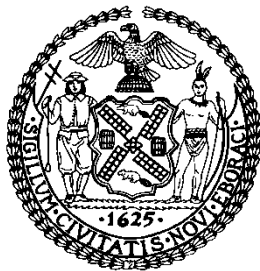
Introduced by Council Member Van Bramer  
December 9, 1966 – January 23, 2017

Vincent Cannariato Jr. ran his family's limousine company. He was very generous and gave back to his community. He was a member of the Broadway Merchants and Professionals Association and the Central Astoria Association. Through his business, he also donated to and was involved with a number of charities including Turn 2 Foundation, Dreams Come True, The Jorge Posada Foundation, the Friends of Governors Island, United Hospital Fund, Covenant House, Tabor House, City Harvest, St. Jude Children's Research Hospital, Christopher Ricardo Cystic Fibrosis Foundation, the American Red Cross and also was part of the 12 Step Program where he helped other in need.

**Section 71. The REPEAL of Sections 5, 8, 9, 14, 17, 30, 31 and 53 of Local Law number 110 for the year 2017.** This section repeals Sections 5, 8, 9, 14, 17, 30, 31 and 53 of Local Law number 110 for the year 2017.

**Section 72. The REPEAL of Sections 13, 21, 22 and 35 of Local Law number 45 for the year 2017.** This section repeals Section 13, 21, 22, 29 and 35 of Local Law number 45 for the year 2017.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1744:)**



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

**PRECONSIDERED INTRO. NO: 1744**

**COMMITTEE: Parks and Recreation**

**TITLE:** A Local Law in relation to the naming of 70 thoroughfares and public places, 1<sup>st</sup> Lt. Alf Larsen Way WWII Hero, Borough of Staten Island, Police Officer Kelly Korchak Way, Borough of Staten Island, Detective Sean Carrington Way, Borough of the Bronx, Andrew Sandler Way, Borough of the Bronx, Assemblyman Denis J. Butler Way, Borough of Queens, Firefighter Jimmy Lanza Way, Borough of Queens, Firefighter Nicholas J. DeMasi Way,

**SPONSOR (S):** By The Speaker (Council Member Mark-Viverito) and Council Members Borelli, Cabrera, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Grodenchik, Johnson, King, Matteo, Mealy, Mendez, Miller, Palma, Perkins, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone and Van Bramer

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Borough of Queens, Firefighter William Tolley Way, Borough of Queens, Deacon Fabio Flaim Way, Borough of Queens, Frank R. Bell Way, Borough of Brooklyn, Dr. Solly Walker Way, Borough of Brooklyn, Reverend Dr. John L. Pratt Sr. Way, Borough of Brooklyn, Margaret Corbin Way, Borough of Brooklyn, NYS Assemblyman Ivan Lafayette Way, Borough of Queens, Jessie Streich-Kest Way, Borough of Brooklyn, Rebbetzin Chaya Mushka Schneerson Square, Borough of Brooklyn, Carole Schaffer's Way, Borough of Brooklyn, Helen Marshall Blvd, Borough of Queens, Alberto Ingravallo Way, Borough of Brooklyn, EMT Yadira Arroyo Way, Borough of the Bronx, Steve Halfon Way, Borough of Brooklyn, Jack M. Friedman Way, Borough of Queens, Bella Abzug Way, Borough of Manhattan, Ms. Burmadine Hinds Way, Borough of the Bronx, Samuel Simpson Way, Borough of the Bronx, J.W. Smith Way, Borough of the Bronx, The Lucky Corner, Borough of Manhattan, FDNY Firefighter Dennis Heedles Way, Borough of Staten Island, Richard L. Willis Way, Borough of Staten Island, Jackie Robinson Way, Borough of Brooklyn, Richie Perez Way, Borough of the Bronx, Mary Spink Way, Borough of Manhattan, Nicholas Figueroa Way, Borough of Manhattan, Moises Locon Way, Borough of Manhattan, Joseph Papp Way, Borough of Manhattan, Children's Court Way, Borough of Manhattan, Ms. Magazine Way, Borough of Manhattan, Mother Cabrini Way, Borough of Manhattan, Assemblywoman Barbara Clark Way, Borough of Queens, Doris L. & Rev Walter A. Jones Sr. Way, Borough of Queens, Margie Boyd Way, Borough of Queens, Tuskegee Airman Dabney N. Montgomery Place, Borough of Manhattan, Assemblywoman Geraldine L. Daniels Way, Borough of Manhattan, Manuel "Manny" Fiallo Jr. Way, Borough of Queens, Amanda Clarke Way, Borough of Queens, Santiago Cerón Way, Borough of Manhattan, Flor Maria Miolan Way, Borough of Manhattan, Bertha Simons Lee Way, Borough of Staten Island, Saxophonist Eric R. Dixon Way, Borough of Staten Island, Firefighter Roy E. Smith Way, Borough of Staten Island, Dennis M. Hogan Way, Borough of Staten Island, Samuel A. Browne Way, Borough of Staten Island, Honorable Louis R. Jerome Way, Borough of Staten Island, Rising Star Coach "Eddie" Watkins Way, Borough of Staten Island, Education Activist Lilian Popp Way, Borough of Staten Island, James and Rina Garst Way, Borough of Manhattan, Detective First Grade Steven McDonald, Borough of Manhattan, Dr. Richard Izquierdo Way, Borough of the Bronx, Rev. Dr.

Fletcher C. Crawford Way, Borough of the Bronx, Lorraine Montenegro Way, Borough of the Bronx, Louella Hatch Way, Borough of the Bronx, Association Caggianesi D'America Way, Borough of Brooklyn, Pastor Agustín Quiles Jr. Place, Borough of Brooklyn, Rosia Wyche Way, Borough of Brooklyn, Chief Christian Hoobs Way, Borough of Queens, Frank Skala Way, Borough of Queens, Alphonse "Al" Volpe Way, Borough of Queens, Rev. Dr. Robert J. Johansson Way, Borough of Queens, Lily Gavin Place, Borough of Queens, Vincent Cannariato Jr. Way, Borough of Queens and the repeal of sections 5, 8, 9, 14, 17, 30, 31 and 53 of local law number 110 for the year 2017 and the repeal of sections 13, 21, 22 and 35 of local law number 45 for the year 2017.

**SUMMARY OF LEGISLATION:** This bill would co-name 70 thoroughfares and public places, based on requests of Council Members whose districts include the location. Of these 70 co-names, 14 are either a relocation of a previously enacted co-naming or a revision to the street sign installed with respect to a previously enacted co-naming. The new street names, which would be added through the posting of additional signs, are as follows:

New Name	Present Name	Limits
1 <sup>st</sup> Lt. Alf Larsen Way WWII Hero	None	At the intersection of Arden Avenue and Rensselaer Avenue
Police Officer Kelly Korchak Way	Seidman Avenue	Between Koch Boulevard and Shirley Avenue
Detective Sean Carrington Way	None	At the intersection of Tenney Place and Andrews Avenue
Andrew Sandler Way	None	At the intersection of Waldo Avenue and West 238 <sup>th</sup> Street
Assemblyman Denis J. Butler Way	30 <sup>th</sup> Avenue	Between 43 <sup>rd</sup> Street and 44 <sup>th</sup> Street
Firefighter Jimmy Lanza Way	None	At the intersection of 31 <sup>st</sup> Avenue and 54 <sup>th</sup> Street
Firefighter Nicholas J. DeMasi Way	None	At the intersection of 77 <sup>th</sup> Street and 21 <sup>st</sup> Avenue
Firefighter William Tolley Way	66 <sup>th</sup> Place	Between Myrtle Avenue and Cooper Avenue
Deacon Fabio Flaim Way	Bleeker Street	Between 60 <sup>th</sup> Place and



		61st Street
Frank R. Bell Way	None	At the southwest corner of Classon Avenue and Sterling Place
Dr. Solly Walker Way	Irving Place	Between Putnam Avenue and Gates Avenue
Reverend Dr. John L. Pratt Sr. Way	Clermont Avenue	Between Myrtle Avenue and Willoughby Avenue
Margaret Corbin Way	Corbin Place	Between Cass Place and the Boardwalk
NYS Assemblyman Ivan Lafayette Way	None	At the northwest corner of 92nd Street and 34th Avenue
Jessie Streich-Kest Way	Argyle Road	Between Albemarle Road and Church Avenue
Rebbetzin Chaya Mushka Schneerson Square	Lefferts Avenue	Between Brooklyn Avenue and New York Avenue
Carole Schaffer's Way	Midwood Street	Between Flatbush Avenue and Bedford Avenue
Helen Marshall Blvd	Northern Boulevard	Between 94th Street and 111th Street
Alberto Ingravallo Way	None	At the northeast corner of Bay Ridge Parkway and 15th Avenue
EMT Yadira Arroyo Way	Boston Road	Between East 168th Street and East 169th Street
Steve Halfon Way	None	At the intersection of Kings Highway and East 2nd Street
Jack M. Friedman Way	None	At the northeast corner of Union Turnpike and 254th Street
Bella Abzug Way	None	At the northwest corner of Bank Avenue and Greenwich Avenue
Ms. Burmadine Hinds	None	At the southwest corner of White Plains Road and East 228th Street
Samuel Simpson Way	None	At the southeast corner of Strang Avenue and Murdock Avenue and at the northwest corner of

		East 187th Street and Elm Place
J.W. Smith Way	None	At the southeast corner of Mickle Avenue and Givan Avenue
The Lucky Corner	None	At the northeast corner of 116th Street and Lexington Avenue
FDNY Firefighter Dennis Heedles Way	None	At the intersection of Summit Avenue and Richmond Road
Richard L. Willis Way	None	At the intersection of Fremont Avenue and Kruser Street
Jackie Robinson Way	MacDonough Street	Between Patchen Avenue and Ralph Avenue
Richie Perez Way	None	At the northeast corner of East 172nd Street and Boynton Avenue continuing west to East 172nd Street and Ward Avenue and ending at the northwest corner of East 172nd Street and Manor Avenue
Mary Spink Way	None	At the southeast corner of East 2nd Street and Avenue A
Nicholas Figueroa Way	Second Avenue	Between 7th Street and Saint Marks Place at the northwest corner of Second Avenue and East 7th Street
Moises Locon Way	East 7th Street	Between Second Avenue and Third Avenue at the northwest corner of East 7th Street and Second Avenue
Joseph Papp Way	None	At the southeast corner of Lafayette Street and 8th Street on Lafayette Street between 8th Street and 4th Street
Children's Court Way	None	At the northeast corner of Third Avenue and East 22nd Street
Ms. Magazine Way	East 32nd Street	Between Third Avenue

		and Second Avenue at the southeast corner of East 32nd Street and Third Avenue
Mother Cabrini Way	None	At the northeast corner of East 19th Street and 3rd Avenue
Assemblywoman Barbara Clark Way	None	At the intersection of 224th Street and 120th Avenue
Doris L. & Rev Walter A. Jones Sr. Way	None	At the north side of 115th Road and Farmers Boulevard
Margie Boyd Way	None	At the intersection of Linden Boulevard and 220th Street
Tuskegee Airman Dabney N. Montgomery Place	None	At the northwest corner of 136th Street and Adam Clayton Powell Jr. Boulevard
Assemblywoman Geraldine L. Daniels Way	None	At the northeast corner of 132nd Street and Lenox Avenue
Manuel "Manny" Fiallo Jr. Way	None	At the intersection of Mott Avenue and Beach 22nd Street
Amanda Clarke Way	None	At the intersection of 137th Avenue and 227th Street
Santiago Cerón Way	Sickles Street	Between Sherman Avenue and Nagle Avenue
Flor Maria Miolan Way	None	At the northeast corner of 184th Street and Audubon Avenue
Bertha Simons Lee Way	None	At the northwest corner of Park Avenue and Vreeland Street
Saxophonist Eric R. Dixon Way	None	At the southwest corner of Vanderbilt Avenue and Osgood Avenue
Firefighter Roy E. Smith Way	None	At the southwest corner of Forest Avenue and Broadway
Dennis M. Hogan Way	None	At the southwest corner of Forest Avenue and City Boulevard
Samuel A. Browne Way	None	At the southeast corner

		of Fairview Avenue and Knox Place
Honorable Louis R. Jerome Way	None	At the northeast corner of Foote Avenue and Clove Road
Rising Star Coach "Eddie" Watkins Way	None	At the northeast corner of Crescent Avenue and Jersey Street
Education Activist Lilian Popp Way	None	At the southeast corner of Wall Street and Belmont Place
James and Rina Garst Way	West 94th Street	Between Columbus Avenue and Amsterdam Avenue
Detective First Grade Steven McDonald	None	at the 86th Street Transverse, Central Park
Dr. Richard Izquierdo Way	Westchester Avenue	At the northeast corner of Southern Boulevard and Westchester Avenue
Rev. Dr. Fletcher C. Crawford Way	Hoe Avenue	Between Jennings Street and East 172nd Street
Lorraine Montenegro Way	None	At the southwest corner of East 156th Street and Prospect Avenue
Louella Hatch Way	None	At the intersection of East 182nd Street and Tiebout Avenue
Association Caggianesi D'America Way	None	At the southeast corner of Van Sicklen Street and Avenue T
Pastor Agustín Quiles Jr. Place	None	At the intersection of West 21st Street and Mermaid Avenue
Rosia Wyche Way	None	At the intersection of West 32nd Street and Surf Avenue
Chief Christian Hoobs Way	None	At the northeast corner of Church Road and Noel Road
Frank Skala Way	None	At the northeast corner of 40th Avenue and Bell Boulevard
Alphonse "Al" Volpe Way	None	At the intersection of Skillman Avenue and 51st Street

Rev. Dr. Robert J. Johansson Way	27th Street	Between 40th Avenue and 39th Avenue
Lily Gavin Place	Queens Boulevard	Between 39th Place and 40th Street
Vincent Cannariato Jr. Way	None	At the intersection of Broadway and 42nd Street

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY18</b>
<b>Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Expenditures</b>	<b>\$20,125</b>	<b>\$0</b>	<b>\$20,125</b>
<b>Net</b>	<b>\$20,125</b>	<b>\$0</b>	<b>\$20,125</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 70 new street signs. Each sign costs \$37.50 and the labor cost to install each sign is \$250, for a total cost of \$287.50. Therefore, the total cost of enacting this legislation would be approximately \$20,125.

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

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

**ESTIMATE PREPARED BY:** Kenneth Grace Legislative Financial Analyst

**ESTIMATE REVIEWED BY:** Chima Obichere, Unit Head  
Nathan Toth, Deputy Director  
Eric Bernstein, Counsel

**LEGISLATIVE HISTORY:** This legislation will be considered by the Committee on Parks and Recreation (Committee) as a pre-considered introduction on October 30, 2017. Upon a successful vote by the Committee, the bill would be introduced and submitted to the full Council for a vote on October 31, 2017.

## Fiscal Impact Schedule

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
1 <sup>st</sup> Lt. Alf Larsen Way WWII Hero	1	37.5	250	287.50
Police Officer Kelly Korchak Way	1	37.5	250	287.50
Detective Sean Carrington Way	1	37.5	250	287.50
Andrew Sandler Way	1	37.5	250	287.50
Assemblyman Denis J. Butler Way	1	37.5	250	287.50
Firefighter Jimmy Lanza Way	1	37.5	250	287.50
Firefighter Nicholas J. DeMasi Way	1	37.5	250	287.50
Firefighter William Tolley Way	1	37.5	250	287.50
Deacon Fabio Flaim Way	1	37.5	250	287.50
Frank R. Bell Way	1	37.5	250	287.50
Dr. Solly Walker Way	1	37.5	250	287.50
Reverend Dr. John L. Pratt Sr. Way	1	37.5	250	287.50
Margaret Corbin Way	1	37.5	250	287.50
NYS Assemblyman Ivan Lafayette Way	1	37.5	250	287.50
Jessie Streich-Kest Way	1	37.5	250	287.50
Rebbetzin Chaya Mushka Schneerson Square	1	37.5	250	287.50
Carole Schaffer's Way	1	37.5	250	287.50
Helen Marshall Blvd	1	37.5	250	287.50
Alberto Ingravallo Way	1	37.5	250	287.50
EMT Yadira Arroyo Way	1	37.5	250	287.50
Steve Halfon Way	1	37.5	250	287.50
Jack M. Friedman Way	1	37.5	250	287.50
Bella Abzug Way	1	37.5	250	287.50
Ms. Burmadine Hinds	1	37.5	250	287.50
Samuel Simpson Way	1	37.5	250	287.50
J.W. Smith Way	1	37.5	250	287.50

The Lucky Corner	1	37.5	250	287.50
FDNY Firefighter Dennis Heedles Way	1	37.5	250	287.50
Richard L. Willis Way	1	37.5	250	287.50
Jackie Robinson Way	1	37.5	250	287.50
Richie Perez Way	1	37.5	250	287.50
Mary Spink Way	1	37.5	250	287.50
Nicholas Figueroa Way	1	37.5	250	287.50
Moises Locon Way	1	37.5	250	287.50
Joseph Papp Way	1	37.5	250	287.50
Children's Court Way	1	37.5	250	287.50
Ms. Magazine Way	1	37.5	250	287.50
Mother Cabrini Way	1	37.5	250	287.50
Assemblywoman Barbara Clark Way	1	37.5	250	287.50
Doris L. & Rev Walter A. Jones Sr. Way	1	37.5	250	287.50
Margie Boyd Way	1	37.5	250	287.50
Tuskegee Airman Dabney N. Montgomery Place	1	37.5	250	287.50
Assemblywoman Geraldine L. Daniels Way	1	37.5	250	287.50
Manuel "Manny" Fiallo Jr. Way	1	37.5	250	287.50
Amanda Clarke Way	1	37.5	250	287.50
Santiago Cerón Way	1	37.5	250	287.50
Flor Maria Miolan Way	1	37.5	250	287.50
Bertha Simons Lee Way	1	37.5	250	287.50
Saxophonist Eric R. Dixon Way	1	37.5	250	287.50
Firefighter Roy E. Smith Way	1	37.5	250	287.50
Dennis M. Hogan Way	1	37.5	250	287.50
Samuel A. Browne Way	1	37.5	250	287.50
Honorable Louis R. Jerome Way	1	37.5	250	287.50
Rising Star Coach "Eddie" Watkins Way	1	37.5	250	287.50

Education Activist Lilian Popp Way	1	37.5	250	287.50
James and Rina Garst Way	1	37.5	250	287.50
Detective First Grade Steven McDonald	1	37.5	250	287.50
Dr. Richard Izquierdo Way	1	37.5	250	287.50
Rev. Dr. Fletcher C. Crawford Way	1	37.5	250	287.50
Lorraine Montenegro Way	1	37.5	250	287.50
Louella Hatch Way	1	37.5	250	287.50
Association Caggianesi D'America Way	1	37.5	250	287.50
Pastor Agustín Quiles Jr. Place	1	37.5	250	287.50
Rosia Wyche Way	1	37.5	250	287.50
Chief Christian Hoobs Way	1	37.5	250	287.50
Frank Skala Way	1	37.5	250	287.50
Alphonse "Al" Volpe Way	1	37.5	250	287.50
Rev. Dr. Robert J. Johansson Way	1	37.5	250	287.50
Lily Gavin Place	1	37.5	250	287.50
Vincent Cannariato Jr. Way	1	37.5	250	287.50
<b>TOTAL</b>	<b>70</b>	<b>\$2,625</b>	<b>\$17,500</b>	<b>\$20,125</b>

*Accordingly, this Committee recommends its adoption, adopted.*

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

MARK LEVINE, *Chairperson*; DARLENE MEALY, JAMES G. VAN BRAMER, ANDREW COHEN, ALAN N. MAISEL, MARK TREYGER; Committee on Parks and Recreation, October 30, 2017.

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



## Report of the Committee on Public Safety

Report for Int. No. 1724-A

### Report of the Committee on Public Safety 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 requiring the police department to disclose gun violence information to applicants for firearm licenses and permits.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on October 17, 2017 (Minutes, page 3555), respectfully

### REPORTS:

#### I. INTRODUCTION

On October 30, 2017 the Committee on Public Safety, chaired by Council Member Gibson will hold a vote on the following legislation: Proposed Introductory Number 1724-A (Prop. Int. No. 1724-A), a local law to amend the administrative code of the city of New York, in relation to requiring the police department to disclose gun violence information to applicants for firearm licenses and permits; Resolution No.1676, opposing H.R367/S.59, known as “the Hearing Protection Act of 2017”, eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer; and Proposed Resolution No. 1677-A, calling on Congress and the President to oppose H.R38/S.446 known as the “Concealed Carry Reciprocity Act of 2017”, and related bill S.446, known as the “Constitutional Concealed Carry Reciprocity Act of 2017” which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.. The Committee held a hearing on Int. No. 1724 and the resolutions on October 16, where testimony was provided by the New York City Police Department (NYPD or the Department), the Mayor’s Office of Criminal Justice (MOCJ or the Office), advocates, and members of the public.

#### II. BACKGROUND

##### A. PROPOSED INT. NO. 1724-A

According to surveys conducted by Gallup in October 2014, 63% of Americans believe having a gun in the house makes it safer<sup>1</sup> While Americans may feel safer with a gun in their homes, numerous studies of these issues have conclusively demonstrated that the opposite is true in many respects. The Committee received a voluminous amount of research from social scientists, public health researchers and advocates indicating the risk of suicide is higher in homes with guns,<sup>2</sup> the risk of homicide is higher in homes where an abusive

<sup>1</sup> McCarthy, Justin “More Than Six in 10 Americans Say Guns Make Homes Safer” Gallup News 7, November 2014 *available at* [http://news.gallup.com/poll/179213/six-americans-say-guns-homes-safer.aspx?utm\\_source=gun%20safer%20place&utm\\_medium=search&utm\\_campaign=tiles](http://news.gallup.com/poll/179213/six-americans-say-guns-homes-safer.aspx?utm_source=gun%20safer%20place&utm_medium=search&utm_campaign=tiles)

<sup>2</sup> E.g., Andrew Anglemyer, Tara Hovrath, & George Rutherford, The Accessibility of Firearms and Risk for Suicide and Homicide Victimization Among Household Members: A Systematic Review and Meta-analysis, 160 ANNALS INTERNAL MED. 101 (2014) (analyzing sixteen studies in a meta-analysis and concluding that “[a]ccess to firearms is associated with risk for completed suicide”); Matthew Miller et al., Firearms and suicide in the United States: is risk independent of underlying suicidal behavior?, 178 AM J. EPIDEMIOLOGY 946, 948 (2013) (analysis of state-level data shows that “[h]igher rates of firearm ownership are strongly associated with higher rates of overall suicide and firearm suicide, but not with nonfirearm suicide”); Matthew Miller et al., Firearms and suicide in US cities, 21 INJ PREV e116 (2013) (analysis of city-level data and reaching same conclusion); Augustine J. Kposowa, Association of Suicide Rates, Gun Ownership, Conservatism and Individual Suicide Risk, 48 SOC. PSYCHIATRY & PSYCHIATRIC EPIDEMIOLOGY 1467, 1473 (2013) (“[F]irearm availability at the state level is a significant risk factor for individual suicide.”); Matthew Miller et al., Household Firearm Ownership and Rates of Suicide Across the 50

intimate partner owns a gun,<sup>3</sup> and occupants are significantly more likely to die from accidental gunshot injuries in homes with guns.<sup>4</sup>

The Committee received testimony overwhelmingly in support of this proposed legislation, with numerous experts in the field supporting these conclusions. No testimony in opposition to this bill was submitted. In addition, the Department testified regarding the important public safety interest served by furthering public education of the increased risks of death associated with gun ownership. Testimony received from all parties demonstrated the increased risk of death associated with gun ownership and illustrated the strong governmental interest in shifting public perceptions to better reflect dangerous realities of gun ownership.

### **B. RESOLUTION NO. 1676**

Resolution No. 1676 opposes H.R.367/S.59, known as “the Hearing Protection Act of 2017”, eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer.

The resolution begins by defining firearm silencer, which is a device that attaches to the barrel of a firearm and reduces the amount of noise generated by firing. The resolution further explains, that in addition to reducing the volume of a gunshot, firearm silencers tend to alter the sound in a manner that makes the sound unidentifiable as a gunshot, thereby reducing or eliminating attention drawn to the shooter. The resolution argues that in an active shooter situation, firearm silencers make it harder for victims, bystanders and law enforcement to identify and react quickly to gunshots.

The resolution explains that law enforcement representatives have opposed the rollback of silencer safety laws because being able to hear and identify gunshots is an important safety feature and such laws are effective at keeping silencers out of the wrong hands. The resolution then identifies laws such as the National Firearms Act (NFA), passed in 1934 in an effort to crack down on organized crime, requires buyers of silencers, machine guns, and other especially dangerous weapons to pass criminal background checks and comply with other common-sense safety provisions in order to buy these dangerous products. The resolution then notes that H.R.367/S. 59 would remove silencers from the NFA, meaning felons, domestic abusers, and the dangerously mentally ill would be able to buy a firearm silencer with no background check.

The resolution states that New York is one of eight states that have explicitly banned any civilian from possessing a firearm silencer, and argues the passage of H.R.367/S. 59 would override state laws and block states from enforcing their own laws regarding silencers. The resolution further argues that while the bill is presented as “The Hearing Protection Act,” there is no evidence of a public health issue associated with hearing loss from gunfire and there are more effective ways to protect the hearing of gun users, including readily available ear protection.

The resolution concludes by stating that the Council of the City of New York opposes H.R.367/S.59, known as “the Hearing Protection Act of 2017”, eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer.

### **C. PROPOSED RESOLUTION NO. 1677-A**

Proposed Resolution No. 1677-A calls upon Congress and the President to oppose H.R.38, known as the “Concealed Carry Reciprocity Act of 2017,” and related bill S. 446 known as the “Constitutional Concealed Carry Reciprocity Act of 2017,” which would allow a resident from one state who has a license to carry a concealed

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United States, 62 J. TRAUMA 1029, 1031 (2007) (“Overall, people living in high-gun states were 3.8 times more likely to kill themselves with firearms.”)

<sup>3</sup> See Shannon Frattaroli & Jon S. Vernick, *Separating Batterers and Guns: A Review and Analysis of Gun Removal Laws in 50 States*, 30 Evaluation Rev. 296, 296 (2006) (citing Jacquelyn C. Campbell, et al., *Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Study*, 93 Am. J. Pub. Health 1089 (2003)) available at [http://journals.sagepub.com/doi/abs/10.1177/0193841X06287680?url\\_ver=Z39.88-2003&rfr\\_id=ori%3Arid%3Acrossref.org&rfr\\_dat=cr\\_pub%3Dpubmed&](http://journals.sagepub.com/doi/abs/10.1177/0193841X06287680?url_ver=Z39.88-2003&rfr_id=ori%3Arid%3Acrossref.org&rfr_dat=cr_pub%3Dpubmed&)

<sup>4</sup> See Douglas J. Wiebe, *Firearms in US Homes as a Risk Factor for Unintentional Gunshot Fatality*, 35 Accident Analysis & Prevention 711, 714 (2003) available at <http://www.sciencedirect.com/science/article/pii/S0001457502000490>

handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.

The resolution begins by explaining that a permit to carry a concealed handgun allows an individual to carry his or her handgun outside his or her home or place of business. The resolution states that both New York State and New York City have instituted stringent procedures governing the lawful possession and carrying of a handgun. The in order to purchase a handgun an individual must first obtain a license to carry or possess a handgun. The resolution lists the strict eligibility requirements applicants must meet including: (i) the person is of good moral character, (ii) older than 21 years old, (iii) never convicted of a felony, or serious offense, (iv) not a fugitive from justice, (v) not an unlawful or addicted user of any controlled substance, (vi) not an undocumented immigrant or admitted under a nonimmigrant visa, (vii) has not been dishonorably discharged from the Armed Forces, (viii) has not renounced his or her United States citizenship, (ix) stating if he or she has ever suffered any mental illness or been confined to any hospital or institution, public or private, for mental illness, and (x) having had a license revoked, suspended, or declared ineligible under state law, (xi) had a legal guardian appointed due to mental incapacity or lacks the mental capacity to manage his or her own affairs.

The resolution states that New York State has given the New York Police Commissioner the authority to grant and issue licenses to carry firearms in New York City and the police department carries out a rigorous screening of each applicant prior to granting a license. The resolution then describes the process the NYPD's Licensing Division takes before granting a license, including an in-person interview, tax returns, and a thorough background check which includes the inspection of sealed criminal records. The resolution provides reasons applicant may be denied, which are if they have a history of driving under the influence of alcohol, have unpaid traffic tickets, or simply because they were uncooperative during the application process.

The resolution states that New York City does not recognize out-of-city permits, including New York State permits; individuals must obtain a special permit to validate such permit from the NYPD. The resolution then argues that while the New York State and City possess these safeguards, H.R.38 and S.446 would undermine New York's efforts. The resolution then outlines H.R.38 and S.446 would amend the United States Code to authorize an individual who is not prohibited from possessing, transporting, shipping, or receiving a firearm under federal law, who is carrying a valid identification document containing a photograph of the person, and who is carrying a valid license or permit which is issued pursuant to the law of the State and which permits the person to carry a concealed firearm or is entitled to carry a concealed firearm in the State in which the person resides, to possess or carry a concealed handgun in any State and be exempt from the federal prohibition on possessing a firearm in a school zone, and to carry or possess a concealed handgun on federally owned lands that are open to the public. The resolution further states that H.R.38 and S.446 would permit an individual to carry and conceal a handgun in New York State even if the license he or she holds is from another state with less stringent licensing standards. The resolution notes that H.R.38 and S.446 would allow concealed carry permit holders from outside New York State and City to freely carry their loaded handguns in crowded tourist destinations and bustling business areas and allow states with the weakest gun laws to dictate who may carry a handgun in New York State and City. Further, the resolution argues that if H.R.38 and/or S.446 were enacted, the law would create serious and potentially life-threatening situations for law enforcement officers and make it difficult for an officer to verify the validity of such permits and distinguish legal from illegal handgun possession. The resolution also argues that each state and local municipality should be able to determine for itself who may carry a concealed handgun within its borders.

The resolution concludes by stating that the Council of the City of New York calls on Congress and the President to oppose H.R.38, known as the "Concealed Carry Reciprocity Act of 2017," and related bill S. 446 known as the "Constitutional Concealed Carry Reciprocity Act of 2017" which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.

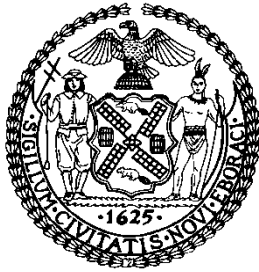
### **III. ANALYSIS AND AMENDMENTS TO PROP. INT. 1724-A**

This bill was introduced on October 17, 2017 and was previously referred to as bill "T2107-6381." Section 1 of the bill requires the NYPD to disclose gun violence information prior to issuing a license or permit for possession of a firearm. The department must provide applicants with the following statement in printed form "Warning: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and

unintentional deaths to children and others.” Since the bill was heard, one minor amendment was made: instead of referring only to the risks of suicide, death during domestic violence incidents, and unintentional deaths, the bill now refers to numerous risks including the three aforementioned particular risks. This statement more accurately reflects the conclusions of the research on these issues provided to the Council.

Section 2 of the bill states that the local law takes effect in 120 days.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1724-A:)**



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

**PROPOSED INTRO. NO: 1724-A**

**COMMITTEE: Public Safety**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to disclose gun violence information to applicants for firearm licenses and permits

**SPONSOR(S):** By The Speaker (Member Mark-Viverito) and Council Member Gibson

**SUMMARY OF LEGISLATION:** Proposed Intro.1724-A would require the Police Department to provide gun license or permit applicants with a written warning that “the presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others.”

**EFFECTIVE DATE:** This local law would take effect in 120 days.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2019

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures as a result of this legislation because existing resources would be used to implement the legislation.

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

**SOURCE OF INFORMATION:** New York City Police Department

**ESTIMATE PREPARED BY:** Steve Riestler, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Rebecca Chasan, Counsel  
Eisha Wright, Unit Head  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was heard by the Committee on Public Safety (Committee) as a preconsidered item on October 16, 2017 and was laid over. The preconsidered item was then introduced to the full Council on October 17, 2017 as Intro. No. 1724 and was referred to the Committee on Public Safety. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1724-A, will be voted on by the Committee at a hearing on October 30, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1724-A will be submitted to the full Council for a vote on October 31, 2017.

**DATE PREPARED:** October 25, 2017.

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

**(The following is the text of Int. No. 1724-A:)**

Int. No. 1724-A

By The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Menchaca, Williams and Miller.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to disclose gun violence information to applicants for firearm licenses and permits**

*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 section 10-313 to read as follows:

*10-313 Mandatory disclosure of gun violence information. Prior to issuing a license or permit for possession of a firearm, the department must provide applicants with the following statement in printed form: "Warning: The presence of a firearm in the home has been associated with an increased risk of death to self and others, including an increased risk of suicide, death during domestic violence incidents, and unintentional deaths to children and others."*

Section 2. This local law takes effect 120 days after it becomes law.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES; Committee on Public Safety, October 30 2017.

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

## GENERAL ORDER CALENDAR

Report for Int. No. 1569-A

**Report of the Committee on Public Safety 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 prohibiting disorderly behavior.**

The Committee on Public Safety, to which the annexed proposed amended local law was referred on April 25, 2017 (Minutes, page 1143), and was originally before the Council but Laid Over at the October 17, 2017 Stated Meeting (Minutes, page 3457) respectfully

### REPORTS:

#### I. INTRODUCTION

On October 16, 2017 the Committee on Public Safety, chaired by Council Member Vanessa Gibson, will hold a vote on Int. No. 1569-A, a local law to amend the administrative code of the City of New York, in relation to prohibiting disorderly conduct. The Committee previously held a hearing on Proposed Int. No. 1569 on April 26, 2017 where members of the NYPD and the public provided testimony.

#### II. BACKGROUND

There are three basic levels of offenses in New York that are handled through the criminal court system: felonies, misdemeanors, and violations.<sup>1</sup> Only felonies and misdemeanors are classified as crimes<sup>2</sup> and carry the penalty of a permanent criminal record;<sup>3</sup> however, violations are processed exclusively in criminal courts.<sup>4</sup> A misdemeanor carries a possible penalty of 15 days or more in jail,<sup>5</sup> but a violation may involve a sentence of either a fine or jail.<sup>6</sup>

The City has the authority to create misdemeanors or violations, as well as offenses that carry a civil penalty, which are purely monetary.<sup>7</sup> These penalties are imposed in an entirely different manner than those processed in criminal court. In fact, because civil penalties are independent from those imposed in criminal court, an individual may be liable simultaneously in civil and criminal courts without violating the principles of double jeopardy.<sup>8</sup>

#### Disorderly Conduct

According to the State's Division of Criminal Justice Services, there were a total of 622,084 convictions for disorderly conduct for fingerprintable offenses between 2006 and 2015, for an average of 62,208 per year.<sup>9</sup> Fingerprintable offenses are those cases in which a defendant is charged with a misdemeanor or felony under State law,<sup>10</sup> meaning that these convictions were only for those cases in which the defendant was originally charged with a more serious offense and was convicted—almost universally through a plea bargain—of a

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<sup>1</sup> New York Penal Law § 10.00.

<sup>2</sup> *Id.* at § 10.00(6).

<sup>3</sup> New York Criminal Procedure Law, Article 160.

<sup>4</sup> New York City Criminal Court Act, Article III; New York State Constitution, Article VI.

<sup>5</sup> New York Penal Law § 10.00(4).

<sup>6</sup> *Id.* at § 10.00(1).

<sup>7</sup> New York Municipal Home Rule Act § 10.

<sup>8</sup> *E.g., Rex Trailer Co. v. United States*, 350 U.S. 148 (1956).

<sup>9</sup> Immigrant Defense Project, *New York's Low DACA Approval Rate* (2016), citing statistics provided directly by the New York State Division of Criminal Justice Services, on file with staff.

<sup>10</sup> New York Criminal Procedure Law § 160.10(1).

lesser, non-criminal offense.<sup>11</sup> This does not include summonses, which are not fingerprintable, and for which a total of 682,302 were issued charging disorderly conduct between 2007 and 2015.<sup>12</sup> A study of 11 years of summons outcomes conducted by the John Jay College of Criminal Justice found that 21% of those issued summonses are ultimately convicted, which would mean that approximately 143,283 people were convicted of disorderly conduct in summons court between 2007 and 2015, or an average of 15,920 per year.

The proposed legislation would create a Disorderly Behavior offense in the Administrative Code, which may be punishable criminally by no more than five days imprisonment, or a fine of \$200. The offense also carries a civil penalty and individuals found in violation of the Disorderly Behavior provisions shall be liable for up to \$75, which may be recoverable in a proceeding before the office of administrative trials and hearings. The Disorderly Behavior charge would serve as tool that law enforcement, prosecutors, and judges may use to ensure that penalties are proportional to the offense and do not trigger adverse collateral consequences, including immigration consequences for foreign-born defendants.

### III. ANALYSIS AND AMENDMENTS TO 1569-A

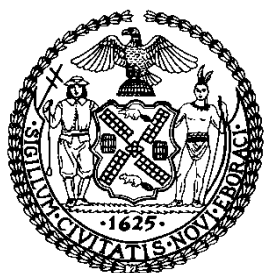
Section 1 of Int. No. 1569-A would add a section 10-177 to the Code creating a violation of behavior that when, with the intent to cause public inconvenience, annoyance or alarm, or recklessly or with criminal negligence creates the risk of:

- Engages in fighting or in violent, tumultuous or threatening behavior;
- 2. Makes unreasonable noise;
- 3. In a public place, uses abusive or obscene language, or makes an obscene gesture;
- 4. Without lawful authority, disturbs any lawful assembly or meeting of persons;
- 5. Obstructs vehicular or pedestrian traffic;
- 6. Congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse; or
- 7. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose.

The offense would carry a possible criminal penalty of imprisonment of up to five days or a fine of up to \$200, as well as a possible civil penalty of up to \$75. The prior version of the bill allowed for restitution in the amount of \$1000. The current version deleted restitution as a possible penalty.

Section two would provide that the law takes effect immediately.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1569-A:)**



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

**PROPOSED INTRO. NO: 1569-A**

**COMMITTEE: Public Safety**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to prohibiting disorderly behavior

**SPONSOR(S):** By Council Members Gibson, Lancman, The Speaker (Member Mark-Viverito), Levin, Kallos, Dromm, Menchaca and Gentile

<sup>11</sup> In 2014, for all misdemeanors and non-indicted felonies, there was a total of 580 verdicts after trial and 172, 490 guilty pleas out of the total of 359,475 arraigned cases, for a total percentage of trials of just over .3%. Criminal Court of the City of New York, *Annual Report 2014* (Jun. 2015), available at [http://www.courts.state.ny.us/COURTS/nyc/criminal/cc\\_annl\\_rpt\\_2014.pdf](http://www.courts.state.ny.us/COURTS/nyc/criminal/cc_annl_rpt_2014.pdf).

<sup>12</sup> Immigrant Defense Project, *supra* note 86.

**SUMMARY OF LEGISLATION:** Proposed Intro. 1569-A would prohibit certain types of disorderly behavior, and would create for its violation both a criminal penalty of up to 5 days of imprisonment or a fine of up to \$200, and a civil penalty of up to \$75.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2018

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY18</b>	<b>FY Succeeding Effective FY19</b>	<b>Full Fiscal Impact FY19</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation.

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

**SOURCE OF INFORMATION:** New York City Police Department

**ESTIMATE PREPARED BY:** Steve Riester, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Eric Bernstein, Counsel  
Eisha Wright, Unit Head  
Regina Poreda Ryan, Deputy Director

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on April 25, 2017 as Intro. No. 1569 and was referred to the Committee on Public Safety (Committee). The Committee, along with the Committees on Education and Immigration, considered the legislation at a hearing on April 26, 2017, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1569-A, will be voted on by the Committee at a hearing on October 16, 2017. Upon successful vote by the Committee, Proposed Intro. No. 1569-A will be submitted to the full Council for a vote.

**DATE PREPARED:** October 13, 2017.

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

**(The following is the text of Int. No. 1569-A:)**

Int. No. 1569-A

By Council Members Gibson, Lancman, The Speaker (Council Member Mark-Viverito), Levin, Kallos, Dromm, Menchaca and Gentile.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting disorderly behavior**



*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 section 10-177 to read as follows:

*10-177 Disorderly behavior. a. Prohibition. A person is guilty of disorderly behavior when, with intent to cause public inconvenience, annoyance or alarm, or recklessly or with criminal negligence creating a risk thereof, such person:*

- 1. Engages in fighting or in violent, tumultuous or threatening behavior;*
  - 2. Makes unreasonable noise;*
  - 3. In a public place, uses abusive or obscene language, or makes an obscene gesture;*
  - 4. Without lawful authority, disturbs any lawful assembly or meeting of persons;*
  - 5. Obstructs vehicular or pedestrian traffic;*
  - 6. Congregates with other persons in a public place and refuses to comply with a lawful order of the police to disperse; or*
  - 7. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose.*
- b. Criminal penalty. The violation of subdivision a of this section constitutes an offense punishable by imprisonment of up to 5 days or a fine of up to 200 dollars.*
- c. Civil penalty. Any person who violates subdivision a of this section shall be liable for a civil penalty of up to 75 dollars, which may be recoverable in a proceeding before the office of administrative trials and hearings, pursuant to chapter 45-A of the charter.*

§ 2. This local law takes effect immediately.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JAMES VACCA, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES; Committee on Public Safety, October 16, 2017. *Other Council Members Attending: Council Member Johnson.*

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 LU No. 768 & Res. No. 1710

**Report of the Committee on Land Use in favor of approving, as modified, Application No. C 170430 ZMK submitted by Canyon Sterling Emerald LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18b, changing an R4/C1-2 district to R6A, R7A, and R8A/CC2-4 districts on property located south of Linden Boulevard between Emerald and Amber Streets, Borough of Brooklyn, Community Board 5, Council District 42.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3580) which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 5**

**C 170430 ZMK**

City Planning Commission decision approving an application submitted by Canyon Sterling Emerald LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18b.

**INTENT**

To approve the amendment to the Zoning Map, Section No. 18b, which in conjunction with the related action would facilitate the development of four new buildings, ranging in height from eight to twelve stories and containing approximately 521 affordable dwelling units as well as retail and community facility uses, in the East New York neighborhood of Brooklyn Community District 5.

**PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Four

**Witnesses Against:** One

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

**Against:**

None

**Abstain:**

Cohen

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

Res. No. 1710

**Resolution approving the decision of the City Planning Commission on ULURP No. C 170430 ZMK, a Zoning Map amendment (L.U. No. 768).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 2, 2017 its decision dated September 19, 2017 (the "Decision"), on the application submitted by Canyon Sterling Emerald LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 18b, changing from R4 and R4/C1-2 zoning districts to R8A/C2-4, R7A, and R6A zoning districts on Block 4496 in the East New York neighborhood of Brooklyn, This amendment, in conjunction with the related action would facilitate the development of four new buildings, ranging in height from eight to twelve stories and containing approximately 521 affordable dwelling units as well as retail and community facility uses (ULURP No. C 170430 ZMK), Community District 7, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application N 170431 ZRK (L.U. No. 769), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area; and Non-ULURP No. 20185103 HAK (Preconsidered L.U.), a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

**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 October 10, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration issued June 19, 2017 (CEQR No. 17DCP155K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-432) (the "Negative Declaration");

**RESOLVED:**

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 170430 ZMK, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

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. 18b:

1. eliminating from an existing R4 District a C1-2 District bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street;
2. changing from an existing R4 District to an R6A District property bounded by a line 100 feet southerly of Linden Boulevard, Amber Street, a line 100 feet northerly of Loring Avenue, and Emerald Street;
3. changing from an existing R4 District to an R7A District property bounded by a line 100 feet northerly of Loring Avenue, Amber Street, Loring Avenue, and Emerald Street;

4. changing from an existing R4 District to an R8A District property bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street; and
5. establishing within a proposed R8A District a C2-4 District bounded by Linden Boulevard, Amber Street, a line 100 feet southerly of Linden Boulevard, and Emerald Street;

as shown on a diagram (for illustrative purposes only) dated June 19, 2017, and subject to the conditions of CEQR Declaration E-432, Community District 5, Borough of Brooklyn.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

Report for L.U. No. 769 & Res. No. 1711

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170431 ZRK submitted by Canyon Sterling Emerald, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 5, Council District 42.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3580) which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 5**

**N 170431 ZRK**

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

#### **INTENT**

To approve the amendment to the text of the Zoning Resolution, which in conjunction with the related action would facilitate the development of four new buildings, ranging in height from eight to twelve stories

and containing approximately 521 affordable dwelling units as well as retail and community facility uses, in the East New York neighborhood of Brooklyn Community District 5.

### **PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Four

**Witnesses Against:** One

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

**In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

**Against:**

None

**Abstain:**

None

### **COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Greenfield, Gentile, Palma, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

**Against:**

None

**Abstain:**

Cohen

### **FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The Committee's proposed modifications were filed with the City Planning Commission on October 27, 2017. The City Planning Commission filed a letter dated October 30, 2017, with the Council on October 31, 2017, indicating that the proposed modifications are 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 Richards offered the following resolution:

Res. No. 1711

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 170431 ZRK, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Community District 5, Borough of Brooklyn (L.U. No. 769).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 2, 2017 its decision dated September 19, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Canyon Sterling Emerald, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of four new buildings, ranging in height from eight to twelve stories and containing approximately 521 affordable dwelling units as well as retail and community facility uses, in the East New York neighborhood of Brooklyn, (Application No. N 170431 ZRK), Community District 5, Borough of Brooklyn (the "Application");

**WHEREAS**, the Application is related to application C 170430 ZMK (L.U. No. 768), an amendment to the Zoning Map, changing from R4 and R4/C1-2 to R8A/C2-4, R7A, and R6A zoning districts; and Non-ULURP No. 20185103 HAK (Preconsidered L.U.), a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law:

**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 October 10, 2017;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration issued June 19, 2017 (CEQR No. 17DCP155K), which included an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality and noise (E-432) (the "Negative Declaration");

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 170431 ZRK, incorporated by reference herein, the Council approves the Decision with the following modifications:

Matter underlined is new, to be added;  
 Matter ~~struck out~~ is to be deleted;  
 Matter within # # is defined in Section 12-10;  
 Matter in ~~double strike-out~~ is old, deleted by the City Council;

Matter in double underline is new, added by the City Council;

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

\* \* \*

**APPENDIX F**

**Inclusionary Housing Designated Areas and Mandatory Housing Designated Areas**

\* \* \*

**BROOKLYN**

\* \* \*

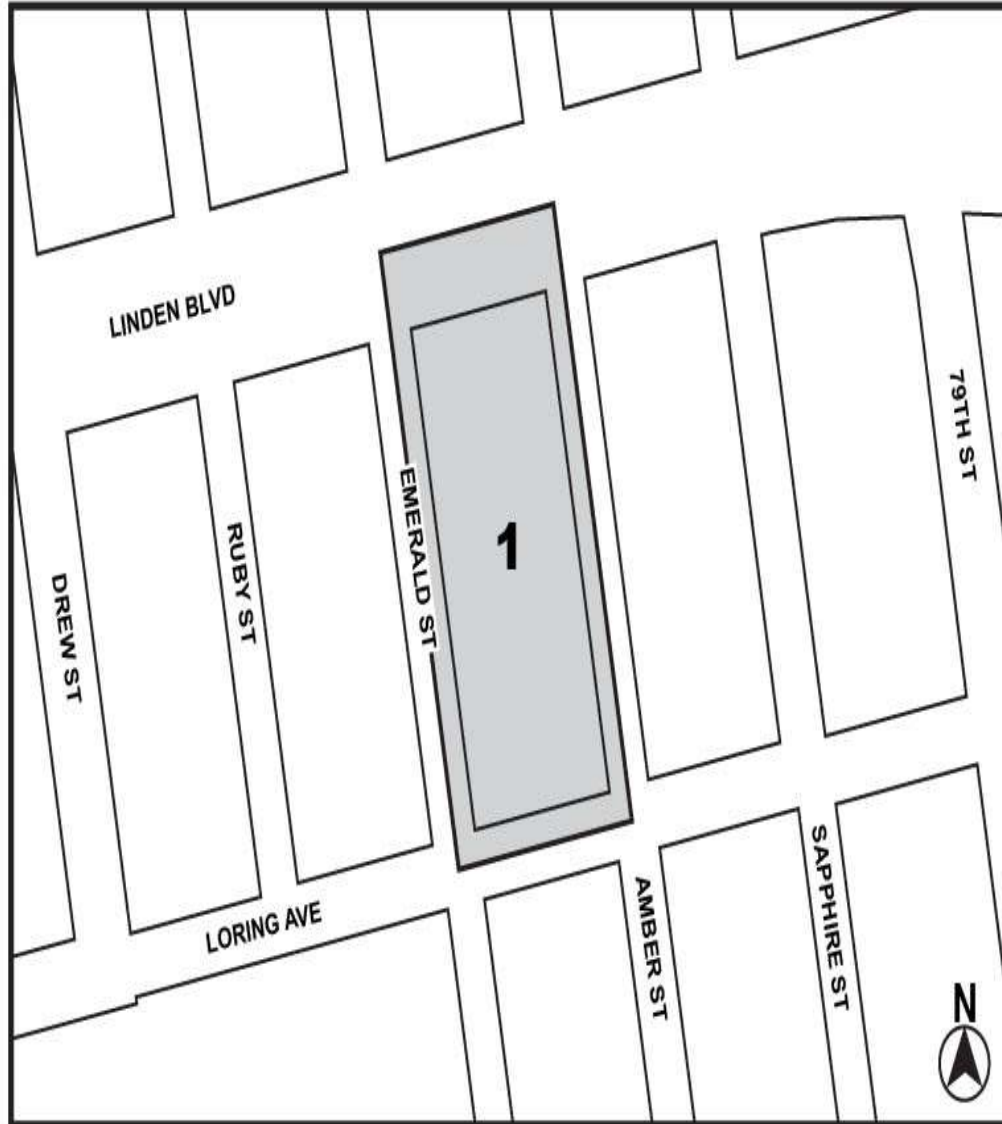
**Brooklyn Community District 5**

\* \* \*

In the R6A, R6B, R7, R7A and R8A Districts within the areas shown on the following Maps 1 and 2:

Map 2 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)  
Area 1 — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 5, Brooklyn

\* \* \*

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.



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

L.U. No. 770 & Res. No. 1712

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 170433 ZRM submitted by 42nd and 8th Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community District 4, Council District 3.**

The Committee on Land Use, to which the annexed Land Use item was referred on October 17, 2017 (Minutes, page 3580) which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

#### **REPORTS:**

#### **SUBJECT**

**MANHATTAN CB - 4**

**N 170433 ZRM**

City Planning Commission decision approving an application submitted by 42nd and 8th Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District).

#### **INTENT**

To approve an amendment to the text of the Zoning Resolution, Section 81-73 of Article VIII, Chapter 1, to allow C6-7 signage rules to apply within the western portion of the Eighth Avenue Corridor of the Theater Subdistrict of the Special Midtown District in Manhattan Community District 4.

#### **PUBLIC HEARING**

**DATE:** October 10, 2017

**Witnesses in Favor:** Three

**Witnesses Against:** None

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** October 24, 2017

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

#### **In Favor:**

Richards, Gentile, Williams, Reynoso, Torres, Grodenchik.

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

**COMMITTEE ACTION**

**DATE:** October 26, 2017

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Gentile, Palma, Garodnick, Mealy, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Reynoso, Torres, Treyger, Grodenchik, Salamanca.

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

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION**

The Committee's proposed modifications were filed with the City Planning Commission on October 27, 2017. The City Planning Commission filed a letter dated October 30, 2017, with the Council on October 31, 2017, indicating that the proposed modifications are 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 Richards offered the following resolution:

Res. No. 1712

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 170433 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Community District 4, Borough of Manhattan (L.U. No. 770).**

By Council Members Greenfield and Richards.

**WHEREAS**, the City Planning Commission filed with the Council on October 2, 2017 its decision dated September 19, 2017 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by 42<sup>nd</sup> and 8<sup>th</sup> Owner LLC, for an amendment of the text of the Zoning Resolution of the City of New York, modifying signage regulations for zoning lots in the Eighth Avenue Corridor of the Theater Subdistrict in Article VIII, Chapter 1 (Special Midtown District), (Application No. N 170433 ZRM), Community District 4, Borough of Manhattan (the "Application");

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on October 10, 2017;

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

the Decision and Application; and

**WHEREAS**, the Council has considered the relevant environmental issues, including the negative declaration issued June 19, 2017 (CEQR No. 17DCP189M), (the “Negative Declaration”);

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 170433 ZRM, incorporated by reference herein, the Council approves the Decision with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- Matter in ~~double-strike-out~~ is old, deleted by the City Council;
- Matter in double-underline is new, added by the City Council;
- \* \* \* indicates where unchanged text appears in the Zoning Resolution

**ARTICLE VIII:  
SPECIAL PURPOSE DISTRICTS**

**Chapter 1:  
Special Midtown District**

\* \* \*

**81-70  
SPECIAL REGULATIONS FOR THEATER SUBDISTRICT**

\* \* \*

**81-73  
Special Sign and Frontage Regulations**

\* \* \*

**81-733  
Special provisions for central refuse storage area**

\* \* \*

**81-734  
Special signage regulations for portions of the west side of Eighth Avenue**

For a #corner lot#, or portions thereof, bounded by two #wide streets# on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, the #sign# provisions for C6-7 Districts pursuant

to Section 32-60 (SIGN REGULATIONS) shall apply only to such #corner lot# portion, with the following modifications:

(a) no #sign# shall function with sound; and

(b) #illuminated signs# may face both #wide streets#, or be parallel to the #street line# of one #wide street#.

## **81-74**

### **Special Incentives and Controls in the Theater Subdistrict**

\* \* \*

VINCENT J. GENTILE, ANNABEL PALMA, DANIEL R. GARODNICK, DARLENE MEALY, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr.; Committee on Land Use, October 26, 2017.

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

**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Roderick B. Kelly	300 West 135th Street #7C New York, N.Y. 10030	9
Richard Santiago	206 West 140th Street #5C New York, N.Y. 10030	9
Vanessa Fermin	541 West 204th Street #20 New York, N.Y. 10034	10
Shavon Rodulfo	576 East 165th Street #5A Bronx, N.Y. 10456	16
Joseph M. Johnson	1232 Intervale Avenue #3B Bronx, N.Y. 10459	17
Lucilla Lowe-Cole	1105 Elder Avenue #43B Bronx, N.Y. 10472	17
Leshonda Wilson	1635 East 174th Street #5G Bronx, N.Y. 10472	18
Eliza M. Valdez	117-01 14th Avenue Queens, N.Y. 11356	19
Patricia Henao	153-4879th Street Queens, N.Y. 11414	32
Katherine Feliz	106-56 98th Street Ozone Park, N.Y. 11417	32
Angelica Sevilla	1943 Broadway Brooklyn, N.Y. 11207	37
Ameta H. Greggs	260 Mother Gaston Blvd #4A Brooklyn, N.Y. 11212	41
Ruth Martinez	779 Macdonough Street #1 Brooklyn, N.Y. 11233	41

Ricardo Russell	4105 Kings Highway Brooklyn, N.Y. 11234	45
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*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Laura Fenimore	333 Pearl Street #7N New York, N.Y. 10038	1
Jose Gonzalez	111 Norfolk Street #1A New York, N.Y. 10002	1
Josefina Reyes	35 Hamilton Place #512 New York, N.Y. 10031	7
Malcolm I. Roberts	382 Central Park West #9R New York, N.Y. 10025	7
Remona Dickenson	335 East 111th Street #5M New York, N.Y. 10029	8
Betty Hammond	270 Convent Avenue #5F New York, N.Y. 10031	9
Linda Singleton	310 West 143rd Street #3C New York, N.Y. 10030	9
Jaczaida Ayala	140 CasaIs Place #11B Bronx, N.Y. 10475	12
Ebony Coleman	1255 Adeo Avenue #2F Bronx, N.Y. 10469	12
Renata Owens	2802 Philip Avenue Bronx, N.Y. 10465	13
Ana Quinones	2501 Davidson Avenue #3C Bronx, N.Y. 10468	14
Arisleyxy M. Contreras	2600 Briggs Avenue #3B Bronx, N.Y. 10458	15
Niurka Crespo	1041 East 179th Street #3G Bronx, N.Y. 10460	15

Robert Charles Gadson Jr.	1624 Adams Street #2 Bronx, N.Y. 10460	15
Mildred Abreu	1131 Ogden Avenue #8H Bronx, N.Y. 10452	16
Dameka Dowdy	1820 Waterloo Place Bronx, N.Y. 10460	17
Jacqueline Leon	1434 Bryant Avenue #2B Bronx, N.Y. 10459	17
Aviad Rave	85-35 Midland Parkway Jamaica, N.Y. 11432	24
Albert Willingham	142-35 84th Drive #5G Briarwood, N.Y. 11435	24
Olugbenga A. Ajala	115-74 Newburg Street St. Albans, N.Y. 11412	27
Floristeane Anthony	173-22 105th Avenue Queens, N.Y. 11433	27
April Hill	171-27 105th Avenue Jamaica, N.Y. 11433	27
Diana Vaz-Phoenix	164-30 109th Road Jamaica, N.Y. 11433	27
Gloria Burrows Sealy	172-24 133rd Avenue Queens, N.Y. 11434	28
Brenda Carter	153-29 110th Road Queens, N.Y. 11433	28
Dharmindra Dhanray	114-56 114th Street South Ozone Park, N.Y. 11420	32
Harry Asher Feigen	450 Clinton Avenue #D1 Brooklyn, N.Y. 11238	35
Denita Williams	333 Lafayette Avenue #10K Brooklyn, N.Y. 11238	35
Kayron J. Headley	371 Monroe Street #8 Brooklyn, N.Y. 11221	36
Joanne Haneiph	446 East 46th Street Brooklyn, N.Y. 11203	45

Sasha Jenkins	520 East 37th Street Brooklyn, N.Y. 11203	45
Charles C. Destefano	1082 Victory Blvd Staten Island, N.Y. 10301	49
Megan E. Stair	85 Tompkins Street Staten Island, N.Y. 10304	49
Brenda A. Hamilton	372 Westwood Avenue Staten Island, N.Y. 10314	50
Ka Po Lau	15 Tony Court Staten Island, N.Y. 10305	50
Lucia Cordova-Martinez	245 Colon Avenue Staten Island, N.Y. 10308	51
Joseph F. DiFede	27 Hinton Street Staten Island, N.Y. 10312	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 773-B -** Requiring the department of education to provide data related to student participation in meals.
- (2) **Int 778-A -** Department of correction to submit regular reports regarding the investigations of the use of force by correction officers on inmates.
- (3) **Int 1066-A -** A record of the unsheltered homeless population.
- (4) **Int 1176-A -** Budget documents to be provided in certain formats.
- (5) **Int 1307-A -** Department of buildings inspectors.



- (6) **Int 1316-A -** Contracts between the department of small business services and certain entities that administer economic development.
- (7) **Int 1322-A -** The recovery of financial assistance for economic development.
- (8) **Int 1337-A -** Requiring the department of small business services to require in its contracts with certain not-for-profit corporations that provide economic development services for the city of New York.
- (9) **Int 1379-A -** Prohibiting discrimination in public contracting.
- (10) **Int 1436-A -** Report on site safety managers and coordinators.
- (11) **Int 1443-A -** Offer training to certain individuals in administering opioid antagonists.
- (12) **Int 1558-A -** Persons not to be detained by the department of probation.
- (13) **Int 1565-A -** Requiring the department of education to distribute information regarding educational rights and departmental.
- (14) **Int 1568-A -** Immigration enforcement.
- (15) **Int 1569-A -** Prohibiting disorderly behavior.
- (16) **Int 1630-A -** Promoting an increase in solar energy use by city employees.
- (17) **Int 1638-A -** Requiring the department of education to report on gay-straight or gender-sexuality alliance organizations.
- (18) **Int 1639-A -** Promoting an increase in solar energy use within business improvements districts
- (19) **Int 1644-A -** Creating an office of alternative energy.

- (20) **Int 1652-A -** Security cameras and security guards at certain eating or drinking establishments and repealing subchapter 20 of title 20 of such code.
- (21) **Int 1685 -** Exempting certain government entities from pre-application requirements for zoning text amendments.
- (22) **Int 1698 -** Authorizing an increase in the amount to be expended annually in eleven business improvement districts.
- (23) **Int 1724-A -** The police department to disclose gun violence information to applicants for firearm licenses and permits.
- (24) **Int 1744 -** Naming of 70 thoroughfares and public places.
- (25) **Res 1699 -** New designation and changes in the designation of certain organizations to receive funding (**Transparency Resolution**).
- (26) **L.U. 759 & Res 1701 -** App. C **160174 ZSR** Staten Island, Community District 1, Council District 49.
- (27) **L.U. 760 & Res 1702 -** App. C **150359 MMR** Staten Island, Community District 1, Council District 49.
- (28) **L.U. 761 & Res 1703 -** App. C **150278 ZMK** Brooklyn, Community District 1, Council District 33.
- (29) **L.U. 762 & Res 1704 -** App. N **150277 ZRK** Brooklyn, Community District 1, Council District 33.
- (30) **L.U. 766 & Res 1705 -** App. C **170400 ZMK** Brooklyn, Community Board 2, Council District 35.
- (31) **L.U. 767 & Res 1706 -** App. N **170401 ZRK** Brooklyn, Community District 2.

- (32) **L.U. 768 & Res 1710 -** App. C **170430 ZMK** Brooklyn, Community Board 5, Council District 42.
- (33) **L.U. 769 & Res 1711 -** App. N **170431 ZRK** Brooklyn, Community District 5, Council District 42.
- (34) **L.U. 770 & Res 1712 -** App. N **170433 ZRM** Manhattan, Community District 4, Council District 3.
- (35) **L.U. 796 & Res 1707 -** App. **20185066 HAM** Manhattan, Community District 10, Council District 9.
- (36) **L.U. 798 & Res 1708 -** App. **20185050 HKM (N 180078 HKM)** Manhattan, Community Board 5, Council District 4.
- (37) **L.U. 799 & Res 1709 -** App. **20185103 HAK** Brooklyn, Community District 5, Council District 42.
- (38) **Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **46**.

**The General Order vote recorded for this Stated Meeting was 46-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **Int. No. 778-A**:

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Abstention** – Miller – **1**.

The following was the vote recorded for **Int. No. 1307-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

**Negative** – Borelli, Mendez, Ulrich, and Matteo – **4**.

The following was the vote recorded for **Int. No. 1558-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

**Negative** – Borelli, Ulrich, Vallone, and Matteo – **4**.

The following was the vote recorded for **Int. No. 1565-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

**Negative** – Borelli and Matteo – **2**.

The following was the vote recorded for **Int. No. 1568-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **41**.

**Negative** – Borelli, Ulrich, Vallone, and Matteo – **4**.

**Abstention** – Gentile – **1**.

The following was the vote recorded for **Int. No. 1569-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

**Negative** – Borelli, Ulrich, and Matteo – **3**.

The following was the vote recorded for **Int. No. 1638-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

**Negative** – Deutsch – **1**.

**Abstention** – Greenfield – **1**.

The following was the vote recorded for **Int. No. 1644-A**:

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

**Negative** – Borelli and Matteo – **2**.

The following was the vote recorded for **Int. No. 1652-A**:

**Affirmative** – Barron, Borelli, Chin, Constantinides, Cornegy, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

**Negative** – Cohen – **1**.

**Abstention** – Deutsch -**1**.

The following was the vote recorded for **Int. No. 1724-A**:

**Affirmative** – Barron, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, , Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

**Negative** – Borelli and Matteo – **2**.

The following was the vote recorded for **Preconsidered Res. No. 1699**:

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Abstention** – Greenfield – **1**.

The following was the vote recorded for **L.U. No. 759 & Res. No. 1701 and L.U. No. 760 & Res. No. 1702**:

**Affirmative** – Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Negative** – Barron – **1**.

The following was the vote recorded for **L.U. No. 761 & Res. No. 1703 and L.U. No. 762 & Res. No. 1704**:

**Affirmative** – Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Palma, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **38**.

**Negative** – Barron, King, Menchaca, Mendez, Miller, Reynoso – **6**.

**Abstention** – Perkins and Williams – **2**.

The following was the vote recorded for **L.U. No. 768 & Res. No. 1710 and L.U. No. 769 & Res. No. 1711:**

**Affirmative** – Barron, Borelli, Chin, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Abstention** – Cohen – **1**.

The following was the vote recorded for **L.U. No. 770 & Res. No. 1712:**

**Affirmative** – Barron, Borelli, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Abstention** – Greenfield – **1**.

The following was the vote recorded for **Preconsidered L.U. No. 799 & Res. No. 1709:**

**Affirmative** – Barron, Borelli, Chin, Constantinides, Cornegy, Deutsch, Dromm, Espinal, Eugene, Garodnick, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Palma, Perkins, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **45**.

**Abstention** – Cohen – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos. 773-B, 778-A, 1066-A, 1176-A, 1307-A, 1316-A, 1322-A, 1337-A, 1379-A, 1436-A, 1443-A, 1558-A, 1565-A, 1568-A, 1569-A, 1630-A, 1638-A, 1639-A, 1644-A, 1652-A, 1685, 1698, 1729-A, and Preconsidered Int. No. 1744.*

## 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 item Res. No. 1442-A

**Report of the Committee on Education in favor of approving, as amended, a Resolution calling upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students and to ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.**

The Committee on Education, to which the annexed amended resolution was referred on April 25, 2017 (Minutes, page 1140), respectfully

### REPORTS:

**(For text of report, please see the Report of the Committee on Education for Int. No. 1638-A printed in the Reports of the Standing Committees section of these Minutes)**

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

**(The following is the text of Res. No. 1442-A:)**

Res. No. 1442-A

**Resolution calling upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students and to ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.**

By Council Members Dromm, Kallos, Rosenthal, Rodriguez, Menchaca, Reynoso and Rose.

**Whereas**, Research shows that lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) students are particularly vulnerable to bullying and harassment on the basis of sexual orientation or gender identity/expression; and

**Whereas**, The biennial National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN) documents the unique challenges LGBTQ students face and identifies interventions that can improve school climate; and

**Whereas**, According to GLSEN's 2015 National School Climate Survey, the vast majority of LGBTQ students in New York State, as many as 87%, regularly heard anti-LGBT remarks from other students and 19% also regularly heard school staff make homophobic remarks; and

**Whereas**, Additionally, responses to GLSEN's survey show that 65% of LGBTQ students in New York State were verbally harassed due to sexual orientation and 60% due to gender expression, 29% were physically



harassed due to sexual orientation and 23% due to gender expression, and 13% were physically assaulted due to sexual orientation and 9% due to gender expression; and

**Whereas,** GLSEN’s research further reports that 51% of New York State students who had been harassed or assaulted in school never reported it to a staff person, and only 33% of the students who did report the incident said school staff intervened effectively; and

**Whereas,** The high incidence of verbal and physical harassment and victimization experienced by LGBTQ students creates a hostile school climate that can affect their academic success and mental health; and

**Whereas,** According to GLSEN’s research, LGBTQ students who experienced higher levels of victimization because of their sexual orientation were more than three times as likely to have missed school in the past month, had lower grade point averages, had lower self-esteem and had higher levels of depression than students who were less often harassed; and

**Whereas,** Findings from the 2015 National School Climate Survey demonstrate that students attending schools with LGBTQ-related resources and supports report more positive school experiences, including lower victimization and absenteeism and higher academic achievement; and

**Whereas,** One of the LGBTQ-related supports cited as essential, a comprehensive anti-bullying/harassment policy, has already been adopted by the New York City Department of Education; and

**Whereas,** That policy, articulated in Chancellor’s Regulation A-832, states that “it is the policy of the New York City Department of Education to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying committed by students against other students and free from discrimination committed by students against other students on account of actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, disability, or weight”; and

**Whereas,** Additional school-based supports cited by GLSEN that are related to a safer and more inclusive school climate include supportive educators and LGBT-inclusive curriculum, such as incorporating the contributions of notable LGBT individuals in American history courses; and

**Whereas,** Another LGBTQ-related support cited as critical by GLSEN is a Gay-Straight Alliance, also known as a Gender-Sexuality Alliance (GSA); and

**Whereas,** According to the organization GSA Network, a GSA is “a student-run club, typically in a high school or middle school, which provides a safe place for students to meet, support each other, talk about issues related to sexual orientation and gender identity and expression, and work to end homophobia and transphobia”; and

**Whereas,** In June 2011, the United States Department of Education (USDOE) issued a “Dear Colleagues” letter highlighting the importance of GSAs in combatting bullying and harassment of LGBTQ students and promoting safer schools, as well as outlining the responsibilities of schools in protecting students’ rights to convene GSAs on school grounds and providing equal access to school resources; and

**Whereas,** The USDOE letter specified that students’ rights to convene GSAs and have equal access to school resources are protected under the Equal Access Act enacted by Congress in 1984; and

**Whereas,** According to GLSEN’s research, LGBTQ students who had a GSA in their school experienced lower levels of victimization related to their sexual orientation and gender expression, reported a greater number of supportive school staff and more accepting peers, and felt more connected to their school community than students without a GSA; and

**Whereas,** However, some LGBTQ students in City schools have reported encountering barriers to starting GSAs, such as finding a faculty advisor, which the DOE should address; and

**Whereas,** DOE should also support other student- or faculty-initiated efforts that encourage the implementation of Chancellor’s Regulation A-832; and

**Whereas,** GSAs are an essential component to maintaining “a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying” for LGBTQ students; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the New York City Department of Education to provide curricular and other supports to protect lesbian, gay, bisexual, queer or questioning (LGBQ) and transgender and gender nonconforming (TGNC) and other vulnerable students and to ensure that administrators, teachers and students in all middle and high schools are informed that, under the Equal Access Act, students have a right to convene and participate in a Gender-Sexuality Alliance (GSA) at school.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ; MARGARET S. CHIN, DEBORAH L. ROSE, INEZ D. BARRON, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; BEN KALLOS, RAFAEL SALAMANCA, Jr.; Committee on Education, October 30, 2017. *Other Council Members Attending: Council Members Mendez, Torres and Speaker Mark-Viverito.*

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 Council Member formally noted his opposition and voted against this item:  
Council Member Deutsch.

The following Council Member formally noted his abstention from voting on this item:  
Council Member Greenfield.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 1638

**Report of the Committee on Immigration in favor of approving a Resolution calling upon the Secretary of State and the Secretary of the Department of Homeland Security to extend Temporary Protected Status designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen, to provide temporary immigration relief to eligible nationals in the wake of devastating environmental disasters, ongoing armed conflict, and extraordinary and temporary conditions that prevent its nationals from returning safely.**

The Committee on Immigration, to which the annexed preconsidered resolution was referred on September 7, 2017 (Minutes, page 3146), respectfully

## **REPORTS:**

### **I. INTRODUCTION**

On October 30, 2017, the Committee on Immigration, chaired by Council Member Carlos Menchaca, will hold a public hearing and vote on Resolution No. 1638, which calls upon the Secretary of State and the Secretary of the Department of Homeland Security to extend Temporary Protected Status designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen, to provide temporary immigration relief to eligible nationals in the wake of devastating environmental disasters, ongoing armed conflict, and extraordinary and temporary conditions that prevent its nationals from returning safely. Advocates and stakeholders were invited to testify about the challenges these affected countries face, and the continued need for Temporary Protected Status for nationals of these countries.

### **II. TEMPORARY PROTECTED STATUS (TPS)**

Temporary Protected Status (TPS) designation is reserved for situations where immigrants present in the United States are unable to return safely to their home country due to ongoing, armed conflict, environmental disaster, or other extraordinary and temporary conditions that prevent safe return.

The Department of Homeland Security (DHS) is authorized to designate countries for TPS and the United States Citizenship and Immigration Services (USCIS) administers the program and adjudicates each foreign national's application for TPS. A national of a country with TPS designation is only eligible for TPS benefits if he or she: (i) establishes continuous physical presence and residence in the United States since the date specified for that particular country; (ii) is not subject to one of the criminal, security-related, or other bars to TPS; and (iii) applies for TPS benefits within the time frame specified by USCIS.<sup>1</sup>

By designating a country for TPS, the DHS extends TPS eligibility to nationals of that country present in the United States, and allows those who meet the eligibility criteria to temporarily reside and work in the United States until they can safely return to their country of origin. TPS status does not lead to a green card or citizenship.

Upon termination of the TPS designation, nationals of that country revert back to the immigration status they had prior to being granted TPS. If the individual did not have status prior to TPS, and did not subsequently acquire status, they must return to their country of origin by the effective date of the TPS designation termination.<sup>2</sup>

### III. TPS DESIGNATED COUNTRIES

There are currently 10 countries with TPS designation: El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Syria, and Yemen. Nine of the 10 countries' designations are set to expire in 2018, three designations as early as January (Honduras, Nicaragua, and Haiti). The situations in these countries render them ill-equipped to reintegrate the more than 320,000 TPS-recipients<sup>3</sup> currently living and working in the U.S.. Of these, 90% are from just three countries, Honduras, Haiti, and El Salvador – 26,000 of whom live in New York.<sup>4</sup> Environmental disasters and outbreaks of infectious diseases have crippled the economies and destabilized national infrastructures of El Salvador, Haiti, Honduras, Nepal and Nicaragua; while ongoing armed conflicts have ravaged Somalia, Sudan, South Sudan, Syria and Yemen, contributing to unprecedented global human displacement.

#### *Environmental Disasters*

In 2001, El Salvador<sup>5</sup> was hit by a series of earthquakes that destroyed critical infrastructure and displaced 17% of its population.<sup>6</sup> Further, violent gangs perpetuate an atmosphere of fear through extortion, exploiting nationals to the sum of \$756 million in 2014.<sup>7</sup>

In 2010, Haiti<sup>8</sup> was struck by a severe earthquake displacing 1.5-2.3 million Haitian nationals. Subsequent hurricanes and tropical storms have stalled urgent recovery projects and inhibited secure access to food for roughly one third of the Haitian population.<sup>9</sup>

Honduras<sup>10</sup> and Nicaragua<sup>11</sup> were struck by Hurricane Mitch in 1998, displacing more than 1.1 million people in Honduras alone. Reconstruction efforts have been regularly stalled by subsequent natural disasters, political unrest and corruption.

<sup>1</sup> <https://www.uscis.gov/humanitarian/temporary-protected-status#Eligibility%20Requirements>

<sup>2</sup> <https://www.uscis.gov/humanitarian/temporary-protected-status#Eligibility%20Requirements>

<sup>3</sup> <https://fas.org/sgp/crs/homesecc/RS20844.pdf>

<sup>4</sup> [https://cdn.americanprogress.org/content/uploads/2017/10/19130252/101717\\_TPSFactsheet-NY.pdf](https://cdn.americanprogress.org/content/uploads/2017/10/19130252/101717_TPSFactsheet-NY.pdf)

<sup>5</sup> <https://www.federalregister.gov/documents/2001/03/09/01-5818/designation-of-el-salvador-under-temporary-protected-status-program>

<sup>6</sup> <https://www.federalregister.gov/documents/2001/03/09/01-5818/designation-of-el-salvador-under-temporary-protected-status-program>

<sup>7</sup> <https://www.federalregister.gov/documents/2016/07/08/2016-15802/extension-of-the-designation-of-el-salvador-for-temporary-protected-status>

<sup>8</sup> <https://www.federalregister.gov/documents/2010/01/21/2010-1169/designation-of-haiti-for-temporary-protected-status>

<sup>9</sup> <https://www.federalregister.gov/documents/2017/05/24/2017-10749/extension-of-the-designation-of-haiti-for-temporary-protected-status>

<sup>10</sup> <https://www.federalregister.gov/documents/2016/05/16/2016-11306/extension-of-the-designation-of-honduras-for-temporary-protected-status>

<sup>11</sup> <https://www.federalregister.gov/documents/2016/05/16/2016-11305/extension-of-the-designation-of-nicaragua-for-temporary-protected-status>

In 2015, Nepal<sup>12</sup> was struck by a severe earthquake affecting between approximately 30% of the population and reconstruction efforts have been inhibited by ensuring civil unrest and ongoing armed conflict at key humanitarian aid distribution junctions on the Nepal-India border.

### *Armed Conflict*

Somalia<sup>13</sup> has been ravaged by ongoing armed conflict between government forces, clan militia, African Union troops, and al-Shabaab since 1986, internally displacing 1.1 million Somalians. Additionally, 1 million Somalians experience acute food insecurity aggravated by flooding and severe drought, 1.9 million Somalians are at risk of death by preventable diseases due to limited access to clean water, and 3.2 million Somalians have insufficient access to emergency health care services.

Sudan<sup>14</sup> and South Sudan<sup>15</sup> have been embroiled in civil war and ongoing armed conflict since 1997 which shows no decrease in conflict despite the issuance of South Sudan as an independent nation-state in 2011. There remains an acute cycle of ethnic violence, human rights' atrocities and a humanitarian disaster of devastating scale, displacing 2.2 million Sudanese and South Sudanese persons and contributing to high malnutrition rates, limited access to clean water, food, and shelter.<sup>16</sup>

Ongoing armed conflict in Syria, termed the "biggest humanitarian emergency of our era,"<sup>17</sup> has displaced 11.3 million Syrians and led to a casualty toll of approximately 2 million persons.<sup>18</sup> The crisis created and exacerbated extreme levels of food insecurity, limited access to clean water and medical care for 13.5 million people,<sup>19</sup> and destroyed significant public and private infrastructure.<sup>20</sup>

Yemen<sup>21</sup> has been engaged in an ongoing armed conflict since July 2014, displacing 3 million Yemeni nationals, triggering unprecedented levels of food insecurity for 14 million people, extensive shortages in operational health care facilities, and catalyzing a widespread cholera outbreak.

## **IV. CONCLUSION**

The City of New York has the highest foreign-born population in the United States, including the highest concentration of Sub-Saharan<sup>22</sup> and Middle East and North African immigrants<sup>23</sup> and the second highest Central American<sup>24</sup> and Haitian population.<sup>25</sup> In light of the well-documented struggles that the affected countries continue to face in the aftermath of their respective environmental disasters and ongoing armed conflicts, it is imperative that the DHS re-designate and extend TPS for El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen, until nationals of those countries can safely return home.

<sup>12</sup> <https://www.federalregister.gov/documents/2016/10/26/2016-25907/extension-of-the-designation-of-nepal-for-temporary-protected-status>

<sup>13</sup> <https://www.federalregister.gov/documents/2017/01/17/2016-31861/extension-of-the-designation-of-somalia-for-temporary-protected-status>

<sup>14</sup> <https://www.federalregister.gov/documents/2016/01/25/2016-01387/extension-of-the-designation-of-sudan-for-temporary-protected-status>

<sup>15</sup> <https://www.federalregister.gov/documents/2016/01/25/2016-01388/extension-and-redesignation-of-south-sudan-for-temporary-protected-status>

<sup>16</sup> [http://reliefweb.int/sites/reliefweb.int/files/resources/Sudan\\_Humanitarian\\_Dashboard\\_A4\\_%28Jan\\_-\\_Dec\\_2016%29.pdf](http://reliefweb.int/sites/reliefweb.int/files/resources/Sudan_Humanitarian_Dashboard_A4_%28Jan_-_Dec_2016%29.pdf)

<sup>17</sup> <http://www.npr.org/sections/thetwo-way/2014/08/29/344219323/u-n-syrian-refugee-crisis-is-biggest-humanitarian-emergency-of-our-era>

<sup>18</sup> <https://www.federalregister.gov/documents/2016/08/01/2016-17933/extension-and-redesignation-of-syria-for-temporary-protected-status>

<sup>19</sup> <http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis#>

<sup>20</sup> <https://www.washingtonpost.com/graphics/world/destruction-in-syria/>

<sup>21</sup> <https://www.federalregister.gov/documents/2017/01/04/2016-31003/extension-and-redesignation-of-the-republic-of-yemen-for-temporary-protected-status>

<sup>22</sup> <http://www.migrationpolicy.org/article/sub-saharan-african-immigrants-united-states>

<sup>23</sup> <http://www.migrationpolicy.org/article/middle-eastern-and-north-african-immigrants-united-states>

<sup>24</sup> <http://www.migrationpolicy.org/article/central-american-immigrants-united-states>

<sup>25</sup> <http://www.migrationpolicy.org/article/haitian-immigrants-united-states>

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1638:)**

Res. No. 1638

**Resolution calling upon the Secretary of State and the Secretary of the Department of Homeland Security to extend Temporary Protected Status designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen, to provide temporary immigration relief to eligible nationals in the wake of devastating environmental disasters, ongoing armed conflict, and extraordinary and temporary conditions that prevent its nationals from returning safely.**

By the Speaker (Council Member Mark-Viverito) and Council Members Menchaca, Kallos and Koo.

**Whereas**, Temporary Protected Status (“TPS”) is a temporary immigration status granted to eligible nationals of TPS designated countries; and,

**Whereas**, During the temporary designation period, eligible nationals may remain in the United States and may not be detained by the Department of Homeland Security (“DHS”) based solely on immigration status, and may obtain employment and travel authorization; and,

**Whereas**, The Secretary of DHS has the authority to provide TPS to immigrants present in the United States who are unable to safely return to their home country due to an environmental disaster, an ongoing armed conflict, or other extraordinary and temporary conditions that prevent safe return; and,

**Whereas**, A country's TPS designation takes effect on the date the designation is published and may last between six and 18 months, with the possibility of an extension; and

**Whereas**, The TPS program is a hallmark of United States diplomacy, underscoring our leadership in ending extreme poverty and supporting self-reliant, legitimate governments through providing humanitarian relief for nationals already in the U.S.; and,

**Whereas**, There are currently over 320,000 TPS designation recipients in the U.S.; and,

**Whereas**, The Immigrant Legal Resource Center, the Center for Migration Research, and the Migration Policy Institute report high levels of labor force participation among TPS recipients, for example: Haitian TPS recipients fill a critical labor gap in elder and home health care; and,

**Whereas**, TPS recipients in the United States contribute hundreds of millions of dollars in federal, state and local tax revenue, and are critical participants in the U.S. economy, while supporting their national economies through remittances: billions of dollars upon which TPS designated countries rely; and,

**Whereas**, The City of New York has the highest foreign-born population in the United States, including the highest concentration of Sub-Saharan and Middle East and North African immigrants and the second highest Central American and Haitian population, and extending TPS designation can help maintain safety among the immigrant community and keep families intact; and,

**Whereas**, The cost of immediate removal and repatriation would cost taxpayers approximately \$3.5 billion, with additional associated costs such as fostering TPS recipient U.S.-born children left behind, and could likely jeopardize TPS-recipients’ path to lawful residence through other pending immigration status adjustment cases; and,

**Whereas**, The situations in TPS countries render them ill-equipped to reintegrate TPS-recipients after they have been relocated in the U.S., many for more than 10 years; and,

**Whereas**, Extending TPS designations would further demonstrate the United States' support for recipient countries and countries who may experience unequivocal crises in the future; and,

**Whereas**, There are currently 10 countries with TPS designation: El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, South Sudan, Sudan, Syria, and Yemen; and,

**Whereas**, Environmental disasters and outbreaks of infectious diseases have crippled the economies and national infrastructures of El Salvador, Haiti, Honduras, Nepal and Nicaragua; while ongoing armed conflicts

have ravaged Somalia, Sudan, South Sudan, Syria and Yemen, contributing to unprecedented global human displacement; and,

**Whereas**, El Salvador was struck by a magnitude 7.6 earthquake in January, 2001, with 3,000 subsequent aftershocks and a magnitude 6.6 earthquake in February, 2001; and,

**Whereas**, The earthquakes displaced 17% of El Salvador's population, and led to more than 10,000 casualties; and,

**Whereas**, recovery efforts in El Salvador remain stalled by subsequent environmental disasters, limited access to potable water and electricity, and a persistent housing shortage of approximately 630,000 houses; and,

**Whereas**, Further, violent gangs perpetuate an atmosphere of fear through extortion, exploiting nationals to the sum of \$756 million in 2014, reported by El Salvador's Central Bank and the United Nations Development Program; and,

**Whereas**, Haiti was struck by a magnitude 7.0 earthquake in January, 2010, displacing 1.5-2.3 million Haitian nationals; and,

**Whereas**, Haitian reconstruction efforts have been slowed by critical infrastructure damage aggravated by Hurricane Matthew in October 2016 and heavy rainfall that destroyed 80% of the Southern spring harvest in April 2017 leaving roughly one third of the Haitian population without secure access to food; and,

**Whereas**, Honduras and Nicaragua were struck by Hurricane Mitch in October 1998, displacing more than 1.1 million people in Honduras alone, and killing 8,702 persons, with overall damages to property due to landslides and floods estimated between \$6.3-6.5 billion; and

**Whereas**, Reconstruction efforts in Honduras and Nicaragua have been repeatedly stalled by subsequent natural disasters, political unrest and corruption, rendering them unable to adequately absorb returning nationals; and,

**Whereas**, Nepal was struck by a magnitude 7.8 earthquake in April, 2015, affecting approximately 25-33% the population, and reconstruction efforts have been significantly slowed by ensuing civil unrest and ongoing armed conflict at key humanitarian aid distribution junctions on the Nepal-India border; and,

**Whereas**, Somalia has been ravaged by ongoing armed conflict between government forces, clan militia, African Union troops, and al-Shabaab since 1986, internally displacing 1.1 million Somalians; and,

**Whereas**, Armed conflict aside, 1 million Somalians experience acute food insecurity aggravated by flooding and severe drought, 1.9 million Somalians are at risk of death by preventable diseases due to limited access to clean water, and 3.2 million Somalians have insufficient access to emergency health care services; and,

**Whereas**, Sudan and South Sudan have been embroiled in civil war and ongoing armed conflict since 1997, and there have been no signs of decreasing conflict; and,

**Whereas**, Instead, there remains an acute cycle of ethnic violence, human rights' atrocities and a humanitarian disaster of devastating scale, displacing 2.2 million Sudanese and South Sudanese persons and contributing to high malnutrition rates, limited access to clean water, food, and shelter; and,

**Whereas**, Syria remains embroiled in ongoing armed conflict since March 2011, as a result of citizens' demonstrations seeking greater political freedom, involving government forces, rebel militias and fundamentalist groups; and,

**Whereas**, The Syrian crisis, termed the "biggest humanitarian emergency of our era" by the former UNHCR Commissioner António Guterres, has displaced 11.3 million Syrians and led to a casualty toll of approximately 2 million persons; and,

**Whereas**, Ongoing armed conflict in Syria created and exacerbated extreme levels of food insecurity, limited access to clean water and medical care for 13.5 million people, and destroyed significant public and private infrastructure; and,

**Whereas**, Yemen has been engaged in an ongoing armed conflict since July 2014, displacing 3 million Yemeni nationals, triggering unprecedented levels of food insecurity for 14 million people, extensive shortages in operational health care facilities; and,

**Whereas**, The humanitarian crisis in Yemen has been compounded by a cholera outbreak and significant destruction of public and private infrastructure; and,

**Whereas**, Many elected officials such as U.S. Senators Kirsten Gillibrand, Robert Menendez, Edward Markey, Chris Hollen, Christopher Murphy, Tim Kaine, Cory Booker, Elizabeth Warren, Sherrod Brown,

Catherine Masto, Al Franken, Mark Warner, Jeffrey Merkley, Patrick Leahy, Richard Blumenthal, Richard Durbin, Christopher Coons, Tammy Duckworth, Mazie Hirono, Michael Bennet, Ron Wyden, Kamala Harris, Patty Murray, Bernard Sanders, Charles Schumer, and Dianne Feinstein have called upon the Secretary of State at the State Department and the Secretary of the Department of Homeland Security to extend TPS designations that permit approximately 320,000 TPS recipients from ten countries to temporarily live and work lawfully in the United States; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the Secretary of State and the Secretary of the Department of Homeland Security to extend Temporary Protected Status designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, Somalia, Sudan, South Sudan, Syria, and Yemen, to provide temporary immigration relief to eligible nationals in the wake of devastating environmental disasters, ongoing armed conflict, and extraordinary and temporary conditions that prevent its nationals from returning safely.

CARLOS MENCHACA, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, PETER A. KOO, RAFAEL L. ESPINAL, Jr.; Committee on Immigration, October 30, 2017.

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 item Res. No. 1676

**Report of the Committee on Public Safety in favor of approving a Resolution opposing H.R.367/S. 59, known as “the Hearing Protection Act of 2017,” eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer.**

The Committee on Public Safety, to which the annexed resolution was referred on October 17, 2017 (Minutes, page 3557), respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Public Safety for Int. No. 1724-A printed in the Reports of the Standing Committees section of these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1676:)**

## Res. No. 1676

**Resolution opposing H.R.367/S. 59, known as “the Hearing Protection Act of 2017,” eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer.**

By The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Kallos, Cohen and Williams.

**Whereas**, A firearm silencer is a device that attaches to the barrel of a firearm and reduces the amount of noise generated by firing; and

**Whereas**, In addition to reducing the volume of a gunshot, firearm silencers tend to alter the sound in a manner that makes the sound unidentifiable as a gunshot, thereby reducing or eliminating attention drawn to the shooter; and

**Whereas**, In an active shooter situation, firearm silencers make it harder for victims, bystanders and law enforcement to identify and react quickly to gunshots; and

**Whereas**, Law enforcement representatives have opposed the rollback of silencer safety laws because being able to hear and identify gunshots is an important safety feature and such laws are effective at keeping silencers out of the wrong hands; and

**Whereas**, One such law, the National Firearms Act (NFA), passed in 1934 in an effort to crack down on organized crime, requires buyers of silencers, machine guns, and other especially dangerous weapons to pass criminal background checks and comply with other common-sense safety provisions in order to buy these dangerous products; and

**Whereas**, H.R.367/S. 59 would remove silencers from the NFA, meaning felons, domestic abusers, and the dangerously mentally ill would be able to buy a firearm silencer with no background check; and

**Whereas**, New York is one of eight states that have explicitly banned any civilian from possessing a firearm silencer; and

**Whereas**, H.R.367/S. 59 would override state laws and block states from enforcing their own laws regarding silencers; and

**Whereas**, Though the bill is presented as “The Hearing Protection Act,” there is no evidence of a public health issue associated with hearing loss from gunfire; and

**Whereas**, There are more effective ways to protect the hearing of gun users, including readily available ear protection; now, therefore, be it

**Resolved**, That the Council of the City of New York opposes H.R. 367/S. 59, known as “the Hearing Protection Act of 2017,” eliminating the transfer tax on firearm silencers and treating any person who acquires a firearm silencer as meeting any registration or licensing requirements of the National Firearms Act with respect to such silencer.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES; Committee on Public Safety, October 30, 2017.

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 3 Council Members formally noted their opposition by voting against this item:  
Council Members Borelli, Deutsch, and Matteo.

The following Council Member formally noted his abstention from voting on this item:  
Council Member Ulrich.



Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 1677-A

**Report of the Committee on Public Safety in favor of approving, as amended, a Resolution calling on Congress and the President to oppose H.R.38, known as the “Concealed Carry Reciprocity Act of 2017,” and related bill S. 446 known as the “Constitutional Concealed Carry Reciprocity Act of 2017” which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.**

The Committee on Public Safety to which the annexed amended resolution was referred on October 17, 2017 (Minutes, page 3557), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Public Safety for Int. No. 1724-A printed in Reports of the Standing Committees section of these Minutes)**

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

**(The following is the text of Res. No. 1677-A:)**

Res. No. 1677-A

**Resolution calling on Congress and the President to oppose H.R.38, known as the “Concealed Carry Reciprocity Act of 2017,” and related bill S. 446 known as the “Constitutional Concealed Carry Reciprocity Act of 2017” which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.**

By The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Menchaca, Kallos and Williams.

**Whereas**, A permit to carry a concealed handgun allows an individual to carry his or her handgun outside of his or her home or place of business; and

**Whereas**, Both New York State and New York City have instituted stringent procedures governing the lawful possession and carrying of a handgun; and

**Whereas**, In New York State, in order to purchase a handgun an individual must first obtain a license to carry or possess a handgun; and

**Whereas**, The application process entails meeting strict eligibility requirements and a finding of there being no good cause to deny the license, including: (i) the person is of good moral character, (ii) older than 21 years old, (iii) never convicted of a felony, or serious offense, (iv) not a fugitive from justice, (v) not an unlawful or addicted user of any controlled substance, (vi) not an undocumented immigrant or admitted under a nonimmigrant visa, (vii) has not been dishonorably discharged from the Armed Forces, (viii) has not renounced his or her United States citizenship, (ix) stating if he or she has ever suffered any mental illness or been confined to any hospital or institution, public or private, for mental illness, and (x) having had a license

revoked, suspended, or declared ineligible under state law, (xi) had a legal guardian appointed due to mental incapacity or lacks the mental capacity to manage his or her own affairs; and

**Whereas**, New York State has given the New York City Police Commissioner the authority to grant and issue licenses to carry firearms in New York City; and

**Whereas**, The Licensing Division of the New York City Police Department (“NYPD”) rigorously screens each applicant prior to granting a license; and

**Whereas**, The NYPD’s Licensing Division requires an in-person interview, tax returns, and performs a thorough background check which includes the inspection of sealed criminal records; and

**Whereas**, Applicants can be denied because they have a history of driving under the influence of alcohol, have unpaid traffic tickets, or simply because they were uncooperative during the application process; and

**Whereas**, New York City does not recognize out-of-city permits; and

**Whereas**, A New York State permit is valid throughout the State except in New York City where such individual needs to obtain a special permit to validate such permit from the NYPD; and

**Whereas**, Although New York State and City possess these safeguards, there is a bill pending in Congress that would undermine New York's efforts; and

**Whereas**, Representative Richard Hudson introduced H.R.38, known as the “Concealed Carry Reciprocity Act of 2017”; and

**Whereas**, Senator John Cornyn introduced S.446, known as the “Constitutional Concealed Carry Reciprocity Act of 2017”; and

**Whereas**, H.R.38/S.446 would amend the United States Code to authorize an individual who is not prohibited from possessing, transporting, shipping, or receiving a firearm under federal law, who is carrying a valid identification document containing a photograph of the person, and who is carrying a valid license or permit which is issued pursuant to the law of the State and which permits the person to carry a concealed firearm or is entitled to carry a concealed firearm in the State in which the person resides, to possess or carry a concealed handgun in any State and be exempt from the federal prohibition on possessing a firearm in a school zone, and to carry or possess a concealed handgun on federally owned lands that are open to the public; and

**Whereas**, H.R.38/S.446 would permit an individual to carry and conceal a handgun in New York State even if the license he or she holds is from another state with less stringent licensing standards; and

**Whereas**, H.R.38/S.446 would therefore undermine the strict New York State and City licensing standards and create a loophole for those seeking to carry conceal handguns; and

**Whereas**, H.R.38/S.446 would allow concealed carry permit holders from outside New York State and City to freely carry their loaded handguns in crowded tourist destinations and bustling business areas; and

**Whereas**, H.R.38/S.446 would allow states with the weakest gun laws to dictate who may carry a handgun in New York State and City; and

**Whereas**, If H.R.38/S.446 were enacted, the law would create serious and potentially life-threatening situations for law enforcement officers and make it difficult for an officer to verify the validity of such permits and distinguish legal from illegal handgun possession; and

**Whereas**, Each state and local municipality should be able to determine for itself who may carry a concealed handgun within its borders; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on Congress and the President to oppose H.R.38, known as the “Concealed Carry Reciprocity Act of 2017,” and related bill S. 446 known as the “Constitutional Concealed Carry Reciprocity Act of 2017” which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state, regardless of the licensing eligibility standards in the other state.

VANESSA L. GIBSON, Chair; VINCENT J. GENTILE, JUMAANE D. WILLIAMS, ROBERT E. CORNEGY, Jr., CHAIM M. DEUTSCH, RAFAEL ESPINAL, Jr., RORY I. LANCMAN, RITCHIE J. TORRES; Committee on Public Safety, October 30, 2017.

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 3 Council Members formally noted their opposition by voting against this item:  
Council Members Borelli, Deutsch, and Matteo.

The following Council Member formally noted his abstention from voting on this item:  
Council Member Ulrich.

Adopted by the Council by voice-vote.

## INTRODUCTION AND READING OF BILLS

Preconsidered Int. No. 1744

By The Speaker (Council Member Mark-Viverito) and Council Members Borelli, Cabrera, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Grodenchik, Johnson, King, Matteo, Mealy, Mendez, Miller, Palma, Perkins, Richards, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone and Van Bramer.

**A Local Law in relation to the naming of 70 thoroughfares and public places, 1<sup>st</sup> Lt. Alf Larsen Way WWII Hero, Borough of Staten Island, Police Officer Kelly Korchak Way, Borough of Staten Island, Detective Sean Carrington Way, Borough of the Bronx, Andrew Sandler Way, Borough of the Bronx, Assemblyman Denis J. Butler Way, Borough of Queens, Firefighter Jimmy Lanza Way, Borough of Queens, Firefighter Nicholas J. DeMasi Way, Borough of Queens, Firefighter William Tolley Way, Borough of Queens, Deacon Fabio Flaim Way, Borough of Queens, Frank R. Bell Way, Borough of Brooklyn, Dr. Solly Walker Way, Borough of Brooklyn, Reverend Dr. John L. Pratt Sr. Way, Borough of Brooklyn, Margaret Corbin Way, Borough of Brooklyn, NYS Assemblyman Ivan Lafayette Way, Borough of Queens, Jessie Streich-Kest Way, Borough of Brooklyn, Rebbetzin Chaya Mushka Schneerson Square, Borough of Brooklyn, Carole Schaffer's Way, Borough of Brooklyn, Helen Marshall Blvd, Borough of Queens, Alberto Ingravallo Way, Borough of Brooklyn, EMT Yadira Arroyo Way, Borough of the Bronx, Steve Halfon Way, Borough of Brooklyn, Jack M. Friedman Way, Borough of Queens, Bella Abzug Way, Borough of Manhattan, Ms. Burmadine Hinds Way, Borough of the Bronx, Samuel Simpson Way, Borough of the Bronx, J.W. Smith Way, Borough of the Bronx, The Lucky Corner, Borough of Manhattan, FDNY Firefighter Dennis Heedles Way, Borough of Staten Island, Richard L. Willis Way, Borough of Staten Island, Jackie Robinson Way, Borough of Brooklyn, Richie Perez Way, Borough of the Bronx, Mary Spink Way, Borough of Manhattan, Nicholas Figueroa Way, Borough of Manhattan, Moises Locon Way, Borough of Manhattan, Joseph Papp Way, Borough of Manhattan, Children's Court Way, Borough of Manhattan, Ms. Magazine Way, Borough of Manhattan, Mother Cabrini Way, Borough of Manhattan, Assemblywoman Barbara Clark Way, Borough of Queens, Doris L. & Rev Walter A. Jones Sr. Way, Borough of Queens, Margie Boyd Way, Borough of Queens, Tuskegee Airman Dabney N. Montgomery Place, Borough of Manhattan, Assemblywoman Geraldine L. Daniels Way, Borough of Manhattan, Manuel "Manny" Fiallo Jr. Way, Borough of Queens, Amanda Clarke Way, Borough of Queens, Santiago Cerón Way, Borough of Manhattan, Flor Maria Miolan Way, Borough of Manhattan, Bertha Simons Lee Way, Borough of Staten Island, Saxophonist Eric R.**

**Dixon Way, Borough of Staten Island, Firefighter Roy E. Smith Way, Borough of Staten Island, Dennis M. Hogan Way, Borough of Staten Island, Samuel A. Browne Way, Borough of Staten Island, Honorable Louis R. Jerome Way, Borough of Staten Island, Rising Star Coach “Eddie” Watkins Way, Borough of Staten Island, Education Activist Lilian Popp Way, Borough of Staten Island, James and Rina Garst Way, Borough of Manhattan, Detective First Grade Steven McDonald, Borough of Manhattan, Dr. Richard Izquierdo Way, Borough of the Bronx, Rev. Dr. Fletcher C. Crawford Way, Borough of the Bronx, Lorraine Montenegro Way, Borough of the Bronx, Louella Hatch Way, Borough of the Bronx, Association Caggianesi D’America Way, Borough of Brooklyn, Pastor Agustín Quiles Jr. Place, Borough of Brooklyn, Rosia Wyche Way, Borough of Brooklyn, Chief Christian Hoobs Way, Borough of Queens, Frank Skala Way, Borough of Queens, Alphonse “Al” Volpe Way, Borough of Queens, Rev. Dr. Robert J. Johansson Way, Borough of Queens, Lily Gavin Place, Borough of Queens, Vincent Cannariato Jr. Way, Borough of Queens and the repeal of sections 5, 8, 9 ,14, 17, 30, 31 and 53 of local law number 110 for the year 2017 and the repeal of sections 13, 21, 22 and 35 of local law number 45 for the year 2017.**

*Be it enacted by the Council as follows:*

Section 1. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
1 <sup>st</sup> Lt. Alf Larsen Way WWII Hero	None	At the intersection of Arden Avenue and Rensselaer Avenue

§2. The following street name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Police Officer Kelly Korchak Way	Seidman Avenue	Between Koch Boulevard and Shirley Avenue

§3. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Detective Sean Carrington Way	None	At the intersection of Tenney Place and Andrews Avenue

§4. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Andrew Sandler Way	None	At the intersection of Waldo Avenue and West 238 <sup>th</sup> Street

§5. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Assemblyman Denis J. Butler Way	30 <sup>th</sup> Avenue	Between 43 <sup>rd</sup> Street and 44 <sup>th</sup> Street

§6. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Firefighter Jimmy Lanza Way	None	At the intersection of 31 <sup>st</sup> Avenue and 54 <sup>th</sup> Street

§7. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Firefighter Nicholas J. DeMasi Way	None	At the intersection of 77 <sup>th</sup> Street and 21 <sup>st</sup> Avenue

§8. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Firefighter William Tolley Way	66 <sup>th</sup> Place	Between Myrtle Avenue and Cooper Avenue

§9. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Deacon Fabio Flaim Way	Bleecker Street	Between 60 <sup>th</sup> Place and 61 <sup>st</sup> Street

§10. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Frank R. Bell Way	None	At the southwest corner of Classon Avenue and Sterling Place

§11. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Dr. Solly Walker Way	Irving Place	Between Putnam Avenue and Gates Avenue

§12. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Reverend Dr. John L. Pratt Sr. Way	Clermont Avenue	Between Myrtle Avenue and Willoughby Avenue

§13. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Margaret Corbin Way	Corbin Place	Between Cass Place and the Boardwalk

§14. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
NYS Assemblyman Ivan Lafayette Way	None	At the northwest corner of 92 <sup>nd</sup> Street and 34 <sup>th</sup> Avenue

§15. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Jessie Streich-Kest Way	Argyle Road	Between Albemarle Road and Church Avenue

§16. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Rebbetzin Chaya Mushka Schneerson Square	Lefferts Avenue	Between Brooklyn Avenue and New York Avenue

§17 The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Carole Schaffer's Way	Midwood Street	Between Flatbush Avenue and Bedford Avenue

§18. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Helen Marshall Blvd	Northern Boulevard	Between 94 <sup>th</sup> Street and 111 <sup>th</sup> Street

§19. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Alberto Ingravallo Way	None	At the northeast corner of Bay Ridge Parkway and 15 <sup>th</sup> Avenue

§20. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
EMT Yadira Arroyo Way	Boston Road	Between East 168 <sup>th</sup> Street and East 169 <sup>th</sup> Street

§21. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Steve Halfon Way	None	At the intersection of Kings Highway and East 2 <sup>nd</sup> Street

§22. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Jack M. Friedman Way	None	At the northeast corner of Union Turnpike and 254 <sup>th</sup> Street

§23. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Bella Abzug Way	None	At the northwest corner of Bank Avenue and Greenwich Avenue

§24. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Ms. Burmadine Hinds	None	At the southwest corner of White Plains Road and East 228 <sup>th</sup> Street

§25. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Samuel Simpson Way	None	At the southeast corner of Strang Avenue and Murdock Avenue and at the northwest corner of East 187 <sup>th</sup> Street and Elm Place

§26. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
J.W. Smith Way	None	At the southeast corner of Mickle Avenue and Givan Avenue

§27. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
The Lucky Corner	None	At the northeast corner of 116 <sup>th</sup> Street and Lexington Avenue

§28. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
FDNY Firefighter Dennis Heedles Way	None	At the intersection of Summit Avenue and Richmond Road



§29. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Richard L. Willis Way	None	At the intersection of Fremont Avenue and Kruser Street

§30. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Jackie Robinson Way	MacDonough Street	Between Patchen Avenue and Ralph Avenue

§31. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Richie Perez Way	None	At the northeast corner of East 172 <sup>nd</sup> Street and Boynton Avenue continuing west to East 172 <sup>nd</sup> Street and Ward Avenue and ending at the northwest corner of East 172 <sup>nd</sup> Street and Manor Avenue

§32. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Mary Spink Way	None	At the southeast corner of East 2 <sup>nd</sup> Street and Avenue A

§33. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Nicholas Figueroa Way	Second Avenue	Between 7 <sup>th</sup> Street and Saint Marks Place at the northwest corner of Second Avenue and East 7 <sup>th</sup> Street

§34. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Moises Locon Way	East 7 <sup>th</sup> Street	Between Second Avenue and Third Avenue at the northwest corner of East 7 <sup>th</sup> Street and Second Avenue

§35. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Joseph Papp Way	None	At the southeast corner of Lafayette Street and 8 <sup>th</sup> Street on Lafayette Street between 8 <sup>th</sup> Street and 4 <sup>th</sup> Street

§36. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Children's Court Way	None	At the northeast corner of Third Avenue and East 22 <sup>nd</sup> Street

§37. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Ms. Magazine Way	East 32 <sup>nd</sup> Street	Between Third Avenue and Second Avenue at the southeast corner of East 32 <sup>nd</sup> Street and Third Avenue

§38. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Mother Cabrini Way	None	At the northeast corner of East 19 <sup>th</sup> Street and 3 <sup>rd</sup> Avenue

§39. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Assemblywoman Barbara Clark Way	None	At the intersection of 224 <sup>th</sup> Street and 120 <sup>th</sup> Avenue

§40. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Doris L. & Rev Walter A. Jones Sr. Way	None	At the north side of 115 <sup>th</sup> Road and Farmers Boulevard

§41. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Margie Boyd Way	None	At the intersection of Linden Boulevard and 220 <sup>th</sup> Street

§42. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Tuskegee Airman Dabney N. Montgomery Place	None	At the northwest corner of 136 <sup>th</sup> Street and Adam Clayton Powell Jr. Boulevard

§43. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Assemblywoman Geraldine L. Daniels Way	None	At the northeast corner of 132 <sup>nd</sup> Street and Lenox Avenue

§44. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Manuel "Manny" Fiallo Jr. Way	None	At the intersection of Mott Avenue and Beach 22 <sup>nd</sup> Street

§45. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Amanda Clarke Way	None	At the intersection of 137 <sup>th</sup> Avenue and 227 <sup>th</sup> Street

§46. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Santiago Cerón Way	Sickles Street	Between Sherman Avenue and Nagle Avenue

§47. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Flor Maria Miolan Way	None	At the northeast corner of 184 <sup>th</sup> Street and Audubon Avenue

§48. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Bertha Simons Lee Way	None	At the northwest corner of Park Avenue and Vreeland Street

§49. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Saxophonist Eric R. Dixon Way	None	At the southwest corner of Vanderbilt Avenue and Osgood Avenue

§50. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Firefighter Roy E. Smith Way	None	At the southwest corner of Forest Avenue and Broadway

§51. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Dennis M. Hogan Way	None	At the southwest corner of Forest Avenue and City Boulevard

§52. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Samuel A. Browne Way	None	At the southeast corner of Fairview Avenue and Knox Place

§53. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Honorable Louis R. Jerome Way	None	At the northeast corner of Foote Avenue and Clove Road

§54. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Rising Star Coach "Eddie" Watkins Way	None	At the northeast corner of Crescent Avenue and Jersey Street

§55. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Education Activist Lilian Popp Way	None	At the southeast corner of Wall Street and Belmont Place

§56. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
James and Rina Garst Way	West 94 <sup>th</sup> Street	Between Columbus Avenue and Amsterdam Avenue

§57. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Detective First Grade Steven McDonald	at the 86 <sup>th</sup> Street Transverse, Central Park	

§58. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Dr. Richard Izquierdo Way	Westchester Avenue	At the northeast corner of Southern Boulevard and Westchester Avenue

§59. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Rev. Dr. Fletcher C. Crawford Way	Hoe Avenue	Between Jennings Street and East 172 <sup>nd</sup> Street

§60. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Lorraine Montenegro Way	None	At the southwest corner of East 156 <sup>th</sup> Street and Prospect Avenue

§61. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Louella Hatch Way	None	At the intersection of East 182 <sup>nd</sup> Street and Tiebout Avenue

§62. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Association Caggianesi D'America Way	None	At the southeast corner of Van Sicklen Street and Avenue T

§63. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Pastor Agustín Quiles Jr. Place	None	At the intersection of West 21 <sup>st</sup> Street and Mermaid Avenue

§64. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Rosia Wyche Way	None	At the intersection of West 32 <sup>nd</sup> Street and Surf Avenue

§65. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Chief Christian Hoobs Way	None	At the northeast corner of Church Road and Noel Road

§66. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Frank Skala Way	None	At the northeast corner of 40 <sup>th</sup> Avenue and Bell Boulevard

§67. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Alphonse "Al" Volpe Way	None	At the intersection of Skillman Avenue and 51 <sup>st</sup> Street

§68. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

<b>New Name</b>	<b>Present Name</b>	<b>Limits</b>
Rev. Dr. Robert J. Johansson Way	27 <sup>th</sup> Street	Between 40 <sup>th</sup> Avenue and 39 <sup>th</sup> Avenue

§69. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lily Gavin Place	Queens Boulevard	Between 39 <sup>th</sup> Place and 40 <sup>th</sup> Street

§70. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Vincent Cannariato Jr. Way	None	At the intersection of Broadway and 42 <sup>nd</sup> Street

§71. Sections 5, 8, 9 ,14, 17, 30, 31 and 53 of local law number 110 for the year 2017 are hereby REPEALED.

§72. Sections 13, 21, 22, 29 and 35 of local law number 45 for the year 2017 are hereby REPEALED.

§73. This local law shall take effect immediately.

Adopted by the Council (preconsidered and approved by the Committee on Parks and Recreation).

Res. No. 1698

**Resolution calling upon the New York State Legislature to pass and the Governor to sign A.7286/S.5766, legislation that would create a New York City Parks Construction Authority.**

By Council Members Cohen, Cabrera, Borelli, Crowley, Greenfield, Torres and Richards.

**Whereas**, The Department of Parks and Recreation (DPR) has been criticized for delays and cost overruns in parks capital projects; and

**Whereas**, Notwithstanding DPR's commitment to streamline and shorten the capital process, DPR still allots themselves 30 to 45 months for on-time projects, a negligible decrease from the allotted time in 2013, 33 to 45 months; and

**Whereas**, Although DPR is committed to streamlining and shortening the capital process, its regulatory requirements have created a structure of checks over balances that ties the hands of DPR with bureaucratic red tape requiring multiple agency review and approvals, to the point where under State and City Laws or Citywide Policy, there are at least 6 different agencies and at minimum 53 steps in the process; and

**Whereas**, The project initiation process takes approximately 1-2 months and includes the following steps: (1) Confirm project is fully funded; (2) Assign to in-house staff or consultant; (3) Hold scoping meetings; (3)(a) Pre-scope meeting with internal stakeholders; and (3)(b) Scope meeting with community; and

**Whereas**, The design process takes approximately 10-15 months and includes the following steps: (4) Design development; (4)(a) Conceptual design; (4)(b) Schematic design; (4)(c) Pre-applications submitted to oversight regulatory agencies; (5) Internal and external schematic approvals; (5)(a) Internal reviews; (5)(a)(i) Borough; (5)(a)(ii) Capital staff; (5)(a)(iii) Commissioner; (5)(b) External reviews; (5)(b)(i) Community Board; (5)(b)(ii) Public Design Commission; (5)(b)(iii) Landmarks Preservation Commission; (6) Construction document preparation; (6)(a) Apply for permits; (6)(b) PDC/LPC final review; and



**Whereas**, The procurement process takes approximately 7-10 months and includes the following steps: (7) Pre-solicitation review; (7)(a) DPR legal review; (7)(a)(i) Mayor's Office of Contract Services review; (7)(b) NYC Law Department legal review; (7)(c) Schedule for bid; (7)(c)(i) Grantor concurrence; (8) Solicitation; (8)(a) Pre-bid meeting; (8)(b) Question and answer period; (8)(b)(i) Addenda issued; (8)(c) Open bids; (9) Pre-award; (9)(a) Responsiveness/Responsibility review and determination; (9)(b) Vendor appeal (if applicable); (9)(b)(i) Amend certification to proceed with Office of Management and Budget; (9)(b)(ii) General counsel review; (9)(c) Recommendation for award; (9)(d) Award letter issues; (9)(d)(i) Grantor concurrence; (9)(d)(ii) MOCS approval; (10) Award and registration; (10)(a) Vendor executes contract; (10)(b) Agency submits package to Comptroller; (10)(b)(i) Pre-construction planning; (10)(c) Comptroller registration; and

**Whereas**, The construction process takes approximately 12-18 months and includes the following steps: (11) Order to work; (12) Construction supervision; (12)(a) Subcontractor approvals; (12)(b) Submittals; (12)(c) Change orders and overruns; (12)(d) Payments; (13) Substantial completion use inspection; and

**Whereas**, the DPR capital process does not technically begin until the first scoping meeting for the project, at which time DPR starts the clock for timeline, which might account for the 1-2 months of alleged streamlining under the current administration; and

**Whereas**, DPR capital projects, historically, have experienced large delays and substantial cost overruns; and

**Whereas**, 43 DPR capital projects have been delayed for 5 or more years and counting, 7 of which have been stalled since 2009; and

**Whereas**, Delays in DPR capital projects have generally been attributed to the overuse of private management consultants, poor project planning and inaccurate early cost estimates; and

**Whereas**, An authority that exclusively manages the design and construction of DPR capital projects may be able to increase the number capital projects which are completed on time and within budget; and

**Whereas**, An authority would not require PDC or LPC approval, although that does not prohibit the authority from simultaneous consultation when project appropriate; and

**Whereas**, An authority would not require multiple approvals from OMB or the Comptroller; and

**Whereas**, An authority would have a simplified procurement process for construction and contracted services; and

**Whereas**, State Senator Jeffrey Klein and State Assemblyman Jeffrey Dinowitz have introduced legislation which would create a New York City Parks Construction Authority; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.7286/S.5766, legislation that would create a New York City Parks Construction Authority.

Referred to the Committee on Parks and Recreation.

Int. No. 1745

By Council Member Constantinides.

**A Local Law to amend the administrative code of the city of New York, in relation to green buildings**

*Be it enacted by the Council as follows:*

Section 1. Chapter 8 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-806 to read as follows:

*§ 24-806 Fossil fuel consumption and energy efficiency in buildings. a. As used in this section:*

*Administering agency. The term "administering agency" means one or more agencies designated by executive order of the mayor to administer the provisions of this section or, if no such designation has been made, the office of long-term planning and sustainability.*

*Adjusted fossil fuel use.* The term "adjusted fossil fuel use" means, with respect to a compliance report filed pursuant to subdivision c for a covered building, the fossil fuel use for such building with respect to such report minus the sum of the following:

1. The lesser of 9 percent of such fossil fuel use or the sum of the amounts obtained in subparagraphs (a) and (b):

(a) The total amount of energy, expressed in kBTU/yr, that is (i) generated in the calendar year preceding the due date of such report by each green energy system installed on the premises of such building and consumed on the premises of such building or transferred for consumption on the premises of one or more other buildings and (ii) purchased by the owner of such building in the calendar year preceding the due date of such report and generated by one or more green energy systems that are not installed on the premises of such building; and

(b) One kBTU/yr for each fossil fuel dollar equivalent invested in developing green energy systems in the calendar year preceding the due date of such report, in accordance with rules promulgated by the administering agency in consultation with the department of finance; and

2. One percent of the fossil fuel use for such building with respect to such report, if such report is due in or before 2050 and the lighting system for such building is in compliance with the standards for new lighting systems set forth in the New York city energy conservation code, as in effect on (i) December 31, 2030, if such report is due in 2031 but in or before 2040 or (ii) December 31, 2040, if such report is due after 2041 but in or before 2050.

*Affordable unit.* The term "affordable unit" means a dwelling unit, other than a rent-regulated unit, for which the rent or sale price of such unit, as applicable, is limited or otherwise regulated by law, rule or an agreement with a federal, state or city governmental entity for the purpose of creating or preserving affordable housing.

*Building fossil fuel use target.* The term "building fossil fuel use target" means for a covered building the sum of the space fossil fuel use target for (i) the primary use of such building, (ii) the second use of such building and (iii) the third use of such building, except if the primary use of such building occupies 75 percent or more of the conditioned floor area in such building, then the owner of such building may, in a time and manner established by rule of the administering agency, elect to have the building fossil fuel use target for such building be equal to the space fossil fuel use target of the primary use of such building, calculated as if all conditioned floor area in such building was contained within such space.

*Conditioned floor area.* The term "conditioned floor area" shall have the meaning ascribed to such term in the New York city energy conservation code.

*Covered building.* The term "covered building" shall have the meaning ascribed to such term in section 28-309.2.

*Department.* The term "department" shall mean the department of environmental protection.

*Energy Star rating.* The rating a building earns using the United States environmental protection agency ENERGY STAR portfolio manager to compare building performance to similar buildings in similar climates.

*Fossil fuel.* The term "fossil fuel" means a fuel consumed through a combustion process on the premises of a covered building. Such term does not include:

1. A green energy source;
2. Natural gas that is (i) combusted by a cogeneration system permitted for use as of January 1, 2025, or (ii) combusted by a cogeneration system where more than 25 percent of the electricity and heat output from such system is used on a site other than the premises of such building;
3. For a cogeneration system permitted for use after January 1, 2025, that was not permitted for use as of January 1, 2025, (i) 65 percent of natural gas consumed in microturbines or reciprocating engines less than 150 kilowatts (kW) in size and (ii) 45 percent of natural gas consumed in reciprocating engines 150 kW in size or larger;
4. Fuel oil or natural gas combusted by a cogeneration system serving space in such building that is classified, pursuant to the New York city building code, as occupancy group I-2 hospital, occupancy group I-3, occupancy group I-4 or occupancy group B civil administrative facility for emergency response services;
5. Utility-pipeline quality biomethane that is produced from biomass and that exceeds any minimum percentile required by law or rule;

6. The biodiesel portion of a bioheating blend, as such terms are defined in section 24-104, that exceeds the minimum percentile required by section 24-168.1 or by other applicable law or rule; or

7. Fuel oil or natural gas consumed for process loads in spaces classified in occupancy group A, B, F, H or I pursuant to the New York city building code.

*Fossil fuel dollar equivalent.* The term "fossil fuel dollar equivalent" for a given calendar year means a dollar amount established by rule of the administering agency in consultation with the department of finance that is equal to:

1. One cent;

2. The estimated average number of metric tons of carbon dioxide equivalent, as such term is defined in section 300.2 of title 10 of the code of federal regulations in effect on January 1, 2017, emitted by the fossil fuels most commonly used in buildings in the city multiplied by the social cost of carbon calculated for such year pursuant to section 3-125; or

3. Such other dollar amount that such agency, in consultation with the department of finance, determines to be appropriate for the purposes of calculating the adjusted fossil fuel use of a building.

*Fossil fuel use.* The term "fossil fuel use" means, with respect to a compliance report filed pursuant to subdivision c for a covered building, the amount of fossil fuels combusted on the premises of such building and consumed by such building in the calendar year preceding the due date of such report, expressed in thousand British thermal units per year (kBTU/yr) and weather-normalized in a manner that is established by the administering agency and consistent with the method used in the United States environmental protection agency energy star portfolio manager.

*Green energy source.* The term "green energy source" means a source of energy that is:

1. A qualified energy resource, as such term is defined in section 45 of title 26 of the United States code in effect on January 1, 2017;

2. A source that is determined to be renewable by the head of the administering agency or by the head of another agency or office designated by the mayor;

3. A source that is determined by the head of the administering agency, or by the head of another agency or office designated by the mayor, to have (i) a positive environmental impact or (ii) a substantially lower negative environmental impact than fossil fuels.

*Green energy system.* The term "green energy system" means a system that generates energy (i) substantially from one or more green energy sources, in accordance with rules promulgated by the administering agency, or (ii) wholly from one or more green energy sources.

*Primary use.* The term "primary use" means, with respect to a covered building, the type of space that occupies the largest amount of conditioned floor area in such building.

*Registered design professional.* The term "registered design professional" shall have the meaning ascribed to such term in section 28-101.5.

*Rent-regulated unit.* The term "rent-regulated unit" means a dwelling unit that satisfies each of the following conditions:

1. The rent for such unit is limited by law or rule; and

2. The law or rule that limits such rent for such unit allows for such rent to be increased upon a showing by the owner of such unit that an improvement has been made to such unit or the building containing such unit and such law or rule does not expressly exclude from such provisions improvements made for the purpose of complying with this section, with local laws or rules or with laws or rules relating to building energy use.

*Second use.* The term "second use" means, with respect to a covered building, the type of space that occupies the second largest amount of conditioned floor area in such building.

*Space fossil fuel use target.* The term "space fossil fuel use target" means, for space within a covered building, the amount obtained by multiplying the conditioned floor area in such space by the following factor based on the occupancy group into which such space is classified pursuant to the New York city building code:

1. Occupancy group A: 60 kBTU/yr;

2. Occupancy group B: 35 kBTU/yr;

3. Occupancy group E: 45 kBTU/yr;

4. Occupancy group F or occupancy group B non-production laboratory: 80 kBTU/yr;

5. Occupancy group B civic administrative facility for emergency response services, I-1 or I-4: 50 kBTU/yr;

6. *Occupancy group H, I-2 or I-3: 100 kBTU/yr;*
7. *Occupancy group M: 45 kBTU/yr;*
8. *Occupancy group R that does not contain any rent-regulated units or affordable units: 50 kBTU/yr;*
9. *Occupancy group R that contains one or more affordable units and no rent-regulated units: 55 kBTU/yr;*
10. *Occupancy group R that contains one or more rent-regulated units: an amount established by rule pursuant to subdivision b;*
11. *Occupancy group R that (i) contains no rent-regulated units and (ii) is receiving steam produced within a separate building or producing steam for use in two or more buildings that are in existence as of January 1, 2018: 70 kBTU/yr; and*
12. *Occupancy group S: 35 kBTU/yr.*

*Third use. The term “third use” means, with respect to a covered building, the type of space that occupies the third largest amount of conditioned floor area in such building.*

*Whole building energy target. The term “whole building energy target” means, with respect to a covered building, (i) a limit, specified by rule of the administering agency pursuant to subdivision b, on the amount of energy, other than energy generated by green energy systems, that may be consumed by such building and on the premises thereof, to be applicable on and after January 1, 2030, or (ii) if no such limit has been established, a requirement established by rule of the administering agency that the amount of energy consumed by such building and on the premises thereof be such that the Energy Star rating of such building is equal to or exceeds the sixtieth percentile of Energy Star ratings received by similar covered buildings in the city in 2016, to be applicable on and after January 1, 2030.*

*Working group. The term “working group” means an entity that:*

1. *Is convened by the administering agency for the purpose of providing to such agency recommendations pursuant to subdivision b; and*
2. *To the extent practicable, includes representatives of (i) engineers; (ii) architects; (iii) building owners and managers; (iv) the construction trades; (v) the energy industry; (vi) public utilities; (vii) the green energy industry; (viii) residential and commercial tenants; (ix) the business sector; (x) environmental advocacy organizations; and (xi) other persons with experience or expertise deemed relevant by the administering agency.*

*b. 1. On and after January 1, 2030, the adjusted fossil fuel use for a covered building, other than a covered building that contains at least one rent-regulated unit, shall not exceed the building fossil fuel use target for such building. On and after January 1, 2035, the adjusted fossil fuel use for a covered building that contains at least one rent-regulated unit shall not exceed the building fossil fuel use target for such building.*

*2. By January 1, 2021, the administering agency shall, after receiving and considering recommendations from the working group, establish by rule (i) a whole building energy target, (ii) penalties for failing to comply with such target and (iii) a space fossil fuel use target for spaces that contain at least one rent-regulated unit or a building fossil fuel use target for buildings that contain at least one rent-regulated unit.*

*3. On and after January 1, 2030, each covered building, other than a covered building that contains at least one rent-regulated unit, shall comply with the applicable whole building energy target for such building. On and after January 1, 2035, each covered building that contains at least one rent-regulated unit shall comply with the applicable whole building energy targets for such building.*

*4. In 2035, the administering agency shall, after receiving and considering recommendations from the working group, establish by rule (i) a limit on fossil fuel use for buildings and (ii) a limit on the amount of energy, other than energy generated by green energy systems, that may be consumed by buildings and on the premises thereof. Such limits shall be applicable on and after January 1, 2050.*

*5. In 2060, the administering agency shall, after receiving and considering recommendations from the working group, prepare and submit to the mayor and the speaker of the council recommendations on continuing any of the requirements of this section.*

*c. By May 1, 2031, and by May 1 in every year thereafter, the owner of a covered building shall verify that such building is in compliance with this section for the previous calendar year by filing with the department a report certifying that such building does not exceed the applicable limits on fossil fuel use and energy use established pursuant to subdivision b. Such report shall be submitted in a form and manner established by the administering agency and shall be certified by a registered design professional. If such report indicates that*

*such building is not in compliance with such applicable limits, such report shall identify the amount by which such building exceeds such limits.*

*d. 1. Upon application by an owner of a covered building in existence on the effective date of the local law that added this section, the administering agency may waive or vary a requirement of subdivision b or c for such building, provided that such waiver or variance is based upon a specific finding that (i) strict compliance with such requirement and payment of applicable penalties pursuant to this section would create an undue economic burden on such owner and (ii) such owner is complying with such requirement to the fullest extent practicable. Such application shall be made in a form and manner determined by the administering agency.*

*2. After receiving such an application, the department, in consultation with the administering agency, shall render a determination in writing, which shall set forth in detail the administering agency's findings and conclusions. A copy of such written determination shall be forwarded to the applicant. Such written determination shall be filed with the department and shall be available for public inspection.*

*e. By April 30, 2023, the owner of a covered building in existence on January 1, 2022, shall file a report, certified by a registered design professional, for such building with the department. Such report shall be filed in a form and manner established by the department and shall include such information as the department shall require to measure the progress of such building toward the applicable fossil fuel use and energy use limits established pursuant to subdivision b. Where such report indicates that such building exceeds either such applicable limit by more than ten percent, such report shall include an implementation plan detailing a schedule and means of complying with such limit together with such other information as the department may require.*

*f. 1. The owner of a covered building that does not meet the requirements of paragraph 1 of subdivision b shall be subject to a civil penalty for each year until such building meets such requirements. The civil penalty for each such year shall be calculated as follows:*

*(a) If such owner is in compliance with subdivision c for such building, the civil penalty shall be equal the amount obtained by (i) subtracting the adjusted fossil fuel use of such building as set forth on the most recent annual report for such building filed pursuant to subdivision c from the applicable fossil fuel use limit for such building pursuant to subdivision b and (ii) multiplying the result by three times the fossil fuel dollar equivalent.*

*(b) If such owner is not in compliance with subdivision c for such building, the amount obtained by multiplying such building's gross floor area by ten times the fossil fuel dollar equivalent.*

*2. Such civil penalties may be recovered by the department or the administering agency in an action before a court of competent jurisdiction or the office of administrative trials and hearings, acting pursuant to section 1049-a of the New York city charter.*

*g. The administering agency shall establish and maintain a program for assisting owners of covered buildings in complying with this section.*

*§ 2. This local law takes effect immediately.*

Referred to the Committee on Environmental Protection.

Int. No. 1746

By Council Members Constantinides, Kallos, Miller and Richards.

**A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an online system to access property tax information and receive notification of changes to property tax exemptions**

*Be it enacted by the Council as follows:*

Section 1. The administrative code of the city of New York is amended to add a new section 11-140 to read as follows:

*§11-140 Property tax information system. The department shall provide a secure website that shall require verification that the user is accessing their own record. The information presented in such website shall be*

updated with any applicable changes no less frequently than daily. Such website shall include, but not be limited to, the following functionality:

a. allowing any property owner who has submitted an application for a property tax exemption administered by the department to view the current status of their application. Such website shall indicate for each individual whether the department has:

- (1) received such property owner's application for a property tax exemption;
- (2) approved or rejected such application, if applicable, and if rejected, a brief statement of the reason for rejection as well as a list of any missing documents that led the department to reject the request; and
- (3) mailed or delivered a letter to such property owner containing information regarding the determination to approve or reject the application, and shall include the ability for such property owner to view an electronic version of the letter.

b. allowing the property owner to view their property's exemption status, including but not limited to, for each exemption:

- (1) active status, with the inclusion of the date on which the exemption became active, the date by which the property owner must apply to renew the exemption, and the date on which the exemption will become inactive; and
- (2) inactive status, with a brief explanation of what this status means and why the exemption is categorized as such, as well as information on how the property owner can restore the exemption to active status.

c. allowing the property owner to view, if applicable, any documents such property owner has submitted to the department or that the department has submitted to such property owner, including the date on which such document was received by the department or submitted to such property owner;

d. allowing the property owner to view the payment status of their most recent property tax payment;

e. providing any property owner with the option to receive written or electronic alerts including, but not limited to, notification of a change in their exemption status; and

f. allowing the property owner to access existing online resources including, but not limited to, resources allowing such property owner to:

- (1) apply for an exemption;
- (2) update their individual or property information;
- (3) pay their property tax bill; and
- (4) submit questions to the department regarding property tax payments and exemptions.

§2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Finance.

Int. No. 1747

By Council Member Dromm.

**A Local Law in relation to reporting on the feasibility of 911 caller identification information and 911 confirmation numbers**

*Be it enacted by the Council as follows:*

Section 1. The report that is due no later than six months after June 30, 2018, pursuant to subdivision b of section 10-174, shall contain a description of the feasibility of providing accurate 911 caller identification information when 911 call takers or dispatchers return 911 calls and a description of the feasibility of providing confirmation numbers to 911 callers.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

***Editor's Note:*** Int. No. 1747 was re-referred to the Committee on Technology on November 1, 2017.

## Int. No. 1748

By Council Member Espinal.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to provide customer service training**

*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 21-318 to read as follows:

§ 21-318 *Customer service training. a. Definitions. For the purposes of this section, the term “shelter” means a building, or individual units within a building, being utilized by the department or a provider under contract or similar agreement with the department to provide temporary emergency housing.*

*b. The department shall conduct two trainings per year on best practices for improving interactions between department personnel and shelter residents.*

*c. Such training shall include techniques to improve professionalism, increase cultural sensitivity, implement a trauma-informed approach to interactions with shelter residents, and de-escalate conflict.*

*d. The department shall provide this training to all department employees, and all employees of a provider under contract or similar agreement with the department, who have direct contact with shelter residents.*

§ 2. This local law takes effect 120 days after its enactment, except that the commissioner shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on General Welfare.

## Int. No. 1749

By Council Member Espinal.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to report on short notice resident transfers in shelter**

*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 21-318 to read as follows:

§ 21-318 *Reporting short notice resident transfers in shelter. a. Definitions. For the purposes of this section, the term “shelter” means a building, or individual units within a building, being utilized by the department or a provider under contract or similar agreement with the department to provide temporary emergency housing.*

*b. Not later than January 1, 2018, and no later than the first day of each month thereafter, the department shall submit to the speaker of the council and post online a report including but not limited to, the total number of homeless families and homeless individuals living in shelter who are transferred to a different shelter with 72 hours or less notice to such individuals and families, disaggregated by the reason for the transfer, including but not limited to, safety reasons or at the residents’ request.*

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

## Int. No. 1750

By Council Member Ferreras-Copeland.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of finance to provide new homeowners with information about real property taxes and exemptions**

*Be it enacted by the Council as follows:*

Section 1. Section 11-135 of the administrative code of the city of New York, as added by local law number 62 of the year 2012, is amended by adding a new subdivision 4 to read as follows:

§ 11-135 Informational brochure. 1. The department of finance shall publish on its website a brochure or brochures written in plain English that contains the following information:

(a) A description of the way the department determines market value and assessed value for all class one and class two property in the city of New York, and the way the property tax assessment determined by such values affects a property owner's property tax bill.

(b) A description of the statement of account, notice of property value or similar document that provides a property owner with a description of his or her property, applied exemptions, and the assessed and market values of such property, and an explanation of the content contained therein.

(c) A description of property tax exemptions and abatements administered by the department, and the eligibility requirements and application deadlines of such property tax exemptions and abatements.

(d) A timeline of deadlines in the fiscal year as they relate to property tax assessment and payment of property taxes.

(e) A description of the process specified in sections one hundred sixty-four, one hundred sixty-four-a, and one hundred sixty-four-b of the New York city charter to dispute assessments determined by the department.

2. The brochure or brochures required by this section shall be published on the department's website as follows:

(a) for class one properties, no later than January fifteenth, two thousand thirteen; and

(b) for class two properties, no later than January fifteenth, two thousand fourteen.

3. Such brochure or brochures shall be updated by the department on a periodic basis.

4. *Upon the recording of any document with the city register or the office of the Richmond county clerk transferring an ownership interest in any class one property or in any class two property that is a residential condominium or residential cooperative or a four family residential property, as such classes of property are defined in subdivision one of section eighteen hundred two of the real property tax law, the department shall send by mail, and if possible by electronic mail, the relevant brochure to the grantee or grantees of such ownership interest.*

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Finance.

## Int. No. 1751

By Council Members Ferreras-Copeland, Constantinides and Rosenthal.

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a capital projects task force**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 5 of the administrative code of the city of New York is amended to add a new section 5-108 to read as follows:



*§5-108. Capital Projects Task Force. a. There shall be a task force to examine the city's capital project process and to develop a report containing recommendations and best practices to ensure that capital projects are funded, initiated, constructed and completed in an efficient, timely and cost effective manner.*

*b. The task force shall consist of thirteen members, as follows:*

- 1. the director of the office of management and budget, or his or her designee;*
- 2. the commissioner of the department of parks and recreation, or his or her designee;*
- 3. the commissioner of the department of design and construction, or his or her designee;*
- 4. the commissioner of the department of cultural affairs, or his or her designee;*
- 5. two members appointed by the mayor; and*
- 6. seven members appointed by the speaker of the council.*

*c. All members shall be appointed within 30 days of the effective date of this local law and shall serve without additional compensation. Upon appointment of all members, the task force shall elect a chair from its membership by a majority vote at the first meeting of such task force. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment.*

*d. No later than 60 days after the effective date of this local law, the task force shall hold its initial meeting and thereafter shall meet at least quarterly.*

*e. The task force shall:*

- 1. Review the alignment of the capital commitment plan to the city's ability to execute capital projects;*
- 2. Identify any laws, policies or rules that may be impeding the efficiency of the capital project process;*
- 3. Review the certificate to proceed process to determine any possible causes of delay;*
- 4. Consider the establishment of a standard for communication and sharing information between the office of management and budget and other agencies;*
- 5. Consider the establishment of reasonable timeframes for each phase of a capital project, as appropriate by agency;*
- 6. Evaluate the contracting processes and procedures for capital projects, both citywide and by contracting agency;*
- 7. Assess the need for a standardized, citywide capital project tracking system; and*
- 8. Review and consider any other matter the task force deems relevant to the improvement of the capital project process.*

*f. No later than March 1, 2018, the task force shall submit to the mayor and the speaker of the council, and shall post on city's website and the website of the city council, a report on the capital project process in the city. Such report shall be revisited and revised as appropriate every two years and shall include, but not be limited to:*

- 1. An analysis of efficiencies and deficiencies in the capital project process as identified by the task force;*
- 2. Recommendations for best practices in capital project planning, management and execution, and any legislative or policy changes to improve the capital projects process developed as a result of the issues examined pursuant to subdivision e of this section; and*
- 3. A suggested timeline for the implementation of any recommendations made by the task force.*

*g. Beginning in calendar year 2019, the task force shall on an annual basis submit to the mayor and the speaker, and shall post on city's website and on the website of the city council, a report detailing the progress, if any, made on the recommendations contained in the most recently revised report required by subdivision f of this section.*

*h. All agency heads shall promptly provide to the task force any information it requests to assist in in carrying out its responsibilities under this section.*

*§2. This local law takes effect immediately.*

Referred to the Committee on Finance.

## Preconsidered Res. No. 1699

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

By Council Member Ferreras-Copeland.

**Whereas**, On June 6, 2017 the City Council adopted the expense budget for fiscal year 2018 with various programs and initiatives (the “Fiscal 2018 Expense Budget”); and

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

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

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018, Fiscal 2017, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

**Whereas**, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2018 and Fiscal 2017 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 1; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 2; and be it further

**Resolved**, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 3; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 4; and be it further

**Resolved**, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Initiative to Address Borough Wide Needs in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 5; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 6; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 7; and be it further

**Resolved**, That the City Council approves the correction in the designation of the agency receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 8; and be it further

**Resolved**, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 9; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 10; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Healthy Aging Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 11; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 12; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 13; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 14; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 15; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 16; and be it further

**Resolved,** That the City Council approves the new designation of certain organizations receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 17; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Community Housing Preservation Strategies initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 18; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 19; and be it further

**Resolved,** That the City Council approves the change in the unit of appropriation within the budget of the Department of Cultural Affairs receiving funding pursuant to the Autism Awareness initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 20; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Maternal and Child Health Services initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 21; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Senior Centers, Programs, and Enhancements initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 22; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 23; and be it further

**Resolved,** That the City Council approves the removal of funds from the agency administering funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 24; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Dropout Prevention and Intervention Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 25; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Resource Center initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 26; 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 Art as a Catalyst for Change initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 27; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the CUNY Research Institutes initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 28; and be it further

**Resolved,** That the City Council approves the change in the designation of the agency administering funding pursuant to the Wrap-Around Support for Traditional-Aged Foster Youth Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 29; 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 Adult Literacy Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 30; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Civic Education in New York City Schools initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 31; 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 Naturally Occurring Retirement Communities (NORCs) initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 32; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Afterschool Enrichment initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 33; and be it further

**Resolved,** That the City Council approves the new designation of a certain organization receiving funding pursuant to the Job Training and Placement Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 34; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 35; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Legal Services for the Working Poor initiative in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 36; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 37; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 38; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 39; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 40; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 41; and be it further

**Resolved,** That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 42; and be it further

**Resolved,** That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy initiative in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 43; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2018 Expense Budget, as set forth in Chart 44; and be it further

**Resolved,** That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2017 Expense Budget, as set forth in Chart 45; and be it further

**Resolved,** That the City Council approves the organizations that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2018, as set forth in Chart 46.

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. 1699 printed in these Minutes).

Int. No. 1752

By Council Member Greenfield.

**A Local Law to amend the administrative code of the city of New York, in relation to creating a class B misdemeanor for road rage**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6 to read as follows:

§ 19-175.6 Road rage. *a. Definitions. For purposes of this section, the term “qualifying vehicle” means a motor vehicle as defined in section 125 of the vehicle and traffic law or a bicycle as defined in section 102 of the vehicle and traffic law.*

*b. Prohibition. A person is guilty of road rage when, while operating or immediately after operating a qualifying vehicle, the person engages in violent or threatening behavior toward a pedestrian or an operator or occupant of another qualifying vehicle.*

*c. Misdemeanor. The violation of subdivision b of this section constitutes a class B misdemeanor.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of transportation may take such measures as are necessary for the implementation of this local law before such date

Referred to the Committee on Transportation.

Int. No. 1753

By Council Member King.

**A Local Law to amend the administrative code of the city of New York, in relation to reporting student commute times**

*Be it enacted by the Council as follows:*

Section 1. Section 21-956 of the administrative code of the city of New York, as added by local law number 59 for the year 2015, is amended to read as follows:

§ 21-956 Definitions. For the purposes of this chapter, the following terms shall have the following meanings:

*Commute.* The term “commute” means travel from a student’s residence to the school in which such student is enrolled.

*NYC school survey.* The term “NYC school survey” means the annual survey administered by the department that is completed by students in grades six through 12, by parents or guardians, and by teachers.

*NYC school survey report.* The term “NYC school survey report” means the annual report issued by the department summarizing the responses to the NYC school survey for the previous year.

*Over the counter.* The term “[Over]over the counter” [shall mean]means a process of enrollment for high school students other than the citywide high school admissions processes.

*Performance level.* The term “[Performance]performance level” [shall mean]means the classification of test scores received on the New York state English language arts and mathematics examinations into four proficiency categories as reported by the state.

*Reside in temporary housing.* The term “[Reside]reside in temporary housing” [shall mean]means satisfying the definition of “homeless child” as set forth in chancellor’s regulation A-780.

*School.* The term “[School]school” [shall mean]means a school of the city school district of the city of New York.

*Special programs.* The term “[Special]special programs” [shall mean]means academic programs including but not limited to gifted and talented programs in grades kindergarten through five and dual language programs in grades kindergarten through eight.

§ 2. Chapter 6 of title 21-a of the administrative code of the city of New York is amended by adding a new section 21-960 to read as follows:

§ 21-960 Student commute times. a. The department shall collect information regarding commutes from students in grades six through 12 through the NYC school survey or by any other means deemed appropriate by the department. The information collected shall include but not be limited to:

1. Method of commute, including any specific bus and subway lines used;
2. Minimum commute time;
3. Average commute time; and
4. Maximum commute time.

b. The department shall publish the information required to be collected pursuant to subdivision a of this section in the NYC school survey report or by any other means deemed appropriate by the department, and shall submit to the mayor, the council and borough presidents such information within 30 days of publication. The department shall disaggregate such information by the following categories:

1. Community board district;
2. Community education council district;
3. Council district;
4. School;
5. Grade level;
6. English language learner status;
7. Race or ethnicity; and
8. Gender.

c. No information that is otherwise required to be published pursuant to this section shall be published in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between one and five students, or contains an amount that would allow the amount of another category that is five or less to be deduced, the number shall be replaced with a symbol.

§ 3. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 1754

By Council Member Maisel.

**A Local Law to amend the administrative code of the city of New York, in relation to conducting a study on the decline of the number of gas service stations in the city and exploring methods to prevent their further decline**

*Be it enacted by the Council as follows:*

Section 1. Report. a. Definitions. For the purposes of this section, the term “gas service station” means a retail facility or outlet that sells gasoline as fuel for motor vehicles.

b. No later than September 30, 2019, the department of consumer affairs shall submit to the council a report on the state of gas service stations in the city. Such report shall include, but need not be limited to:

1. The number and location of all gas service stations currently operating in the city; the number and location of gas service stations operating in the city 10 years before the enactment of this local law; an analysis of any notable trends or changes in the growth or decline of the number of gas service stations during that timeframe; and an analysis of any notable trends or changes in the location of gas service stations during that timeframe;

2. If a decline in the number of gas service stations is identified, the factors that currently contribute or have contributed to such a decline; which areas of the city are most affected by the decline and how they are affected; why particular areas are more affected than others; and which groups of city residents or workers are affected by the decline and how they are affected; and

3. Recommendations for the preservation of the gas service station industry and for actions that the city might take to counteract and prevent the decline of the number of gas service stations in the city.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer Affairs.

Int. No. 1755

By Council Member Rodriguez.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring stores and banks to recycle receipts**

*Be it enacted by the Council as follows:*

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

*Subchapter 13  
Paper Receipts*

*§ 20-699.7 Definitions.*

*§ 20-699.8 Applicability.*

*§ 20-699.9 Non-recyclable receipts prohibited.*

*§ 20-699.10 Recycling receptacles required.*

*§ 20-699.11 Penalties.*

*§ 20-699.7 Definitions. As used in this subchapter, the following terms have the following meanings:*

*ATM. The term “ATM” is an acronym that means automated teller machine.*

*Bank ATM. The term “bank ATM” means a device that is linked to accounts and records of a banking or other financial institution and that enables consumers to conduct banking transactions, including but not*

limited to cash withdrawals, and is located indoors and on premises that are under a banking or other financial institution's dominion and control.

*Non-recyclable material.* The term "non-recyclable material" means material that is not recyclable by the city or its designated contractors in charge of recycling.

*Receipt.* The term "receipt" means a mechanically produced record of a commercial transaction.

*Recycling center.* The term "recycling center" has the same meaning as in section 16-303.

*Small store.* The term "small store" means any retail or wholesale establishment that sells goods or provides services to consumers and occupies under 4,000 square feet of retail or wholesale space, excluding storage space.

*Store.* The term "store" means any retail or wholesale establishment that sells goods or provides services to consumers.

§ 20-699.8 *Applicability.* a. This subchapter does not apply to receipts that are printed by an end user.

b. This subchapter does not apply to receipts issued by small stores.

§ 20-699.9 *Non-recyclable receipts prohibited.* No person may print or issue a receipt on a non-recyclable material.

§ 20-699.10 *Recycling receptacles required.* a. A store or operator of a bank ATM that issues paper receipts shall maintain a clearly labeled receptacle for the disposal of recyclable paper in a conspicuous place within 15 feet of the location where paper receipts are issued.

b. A store or operator of a bank ATM that is required to maintain a receptacle pursuant to subdivision a of this section shall ensure that paper disposed of in such receptacle is given into the custody of a recycling center that is capable of recycling the paper that the store or operator of a bank ATM uses for issuing receipts.

§ 20-699.11 *Penalties.* a. A store or operator of a bank ATM that violates this subchapter is subject to civil penalties as follows:

1. For a first offense, a civil penalty of not less than \$100 and not more than \$150.

2. For a second offense and for each subsequent offense, a civil penalty of not less than \$500 and not more than \$1,000.

b. Multiple violations occurring on the same day constitute a single offense for purposes of this section.

§ 2. This local law takes effect on January 1 of the year following the year in which it becomes law, except that if this local law becomes law between September 1 and December 1, then it takes effect on July 1 of the year following the year in which it becomes law. The commissioner of sanitation shall take any measures necessary for the implementation of this local law, including the promulgation of rules, before it takes effect.

Referred to the Committee on Consumer Affairs.

Int. No. 1756

By Council Members Rodriguez and Greenfield.

**A Local Law to amend the administrative code of the city of New York, in relation to restricting the use of BPA- or BPS-coated paper and requiring that all receipts and tickets be printed on recyclable material**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 9 of chapter 3 of title 16 of the administrative code of the city of New York is amended by renaming such subchapter as follows:

Subchapter 9

Restrictions on the Sale or Use of Certain [Expanded Polystyrene Items] *Materials*

§ 2. Subchapter 9 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-330 to read as follows:



§ 16-330 BPA- and BPS-coated paper. *a. Definitions. As used in this section, the term “BPA- or BPS-coated paper” means any paper, regardless of weight or density, that is coated with bisphenol A (BPA) or bisphenol S (BPS).*

*b. BPA- or BPS-coated paper prohibited. No person may manufacture, sell, offer for sale or distribute BPA- or BPS-coated paper in the city.*

*c. Violation; penalties. 1. In addition to any other penalties allowed by law, a person who violates subdivision b of this section is subject to a civil penalty of not less than \$1,000 and not more than \$5,000.*

*2. Multiple violations occurring on the same day constitute a single offense for purposes of this section.*

*d. Enforcement. The commissioner, the commissioner of health and mental hygiene and the commissioner of consumer affairs may enforce this section.*

*e. Rules. The commissioner of sanitation shall promulgate rules necessary for the implementation of this section.*

§ 3. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

*Subchapter 13  
Paper Receipts and Tickets*

*§ 20-699.7 Definitions.*

*§ 20-699.8 Applicability.*

*§ 20-699.9 Non-recyclable receipts and tickets prohibited.*

*§ 20-699.10 Penalties.*

*§ 20-699.7 Definitions. As used in this subchapter, the following terms have the following meanings:*

*BPA- or BPS-coated paper. The term “BPA- or BPS-coated paper” means any paper, regardless of weight or density, that is coated with bisphenol A (BPA) or bisphenol S (BPS).*

*Non-recyclable material. The term “non-recyclable material” means a material that is not recyclable by the city or its designated contractors in charge of recycling. Such term includes BPA- or BPS-coated paper.*

*Receipt. The term “receipt” means a mechanically produced record of a commercial transaction.*

*Ticket. The term “ticket” means a mechanically produced record created as evidence that the bearer or a person named on such record is permitted entry to a location, event or means of transportation.*

*§ 20-699.8 Applicability. This subchapter does not apply to receipts or tickets that are printed by an end user.*

*§ 20-699.9 Non-recyclable receipts and tickets prohibited. No person may print or issue a receipt or ticket on a non-recyclable material.*

*§ 20-699.10 Penalties. a. In addition to any other penalty allowed by law, a person who violates this subchapter is subject to civil penalties as follows:*

*1. For a first offense, a civil penalty of not less than \$100 and not more than \$150.*

*2. For a second offense and for each subsequent offense, a civil penalty of not less than \$500 and not more than \$1,000.*

*b. Multiple violations occurring on the same day constitute a single offense for purposes of this section.*

§ 4. This local law takes effect on January 1 of the year following the year in which it becomes law, except that if this local law becomes law between September 1 and December 1, then it takes effect on July 1 of the year following the year in which it becomes law. The commissioner of sanitation shall take any measures necessary for the implementation of this local law, including the promulgation of rules, before it takes effect.

Referred to the Committee on Consumer Affairs.

Res. No. 1700

**Resolution calling on the United State Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.**

By Council Members Torres, Miller, Johnson, Levine, Richards, Cornegy and Van Bramer.

**Whereas**, Collective bargaining is the process in which working people, through their unions, negotiate contracts with their employers to determine terms and conditions of employment, including factors such as pay, benefits, and job health and safety policies; and

**Whereas**, In 1962, President John F. Kennedy granted federal employees the right to collectively bargain by signing Executive Order 10988, leading to a rapid increase in public sector union membership; and

**Whereas**, According to a 2016 news release from the Bureau of Labor Statistics, 7.1 million public sector employees in the United States belonged to a union, representing 34.4 percent of public sector workers; and

**Whereas**, According to the Union Membership and Coverage Database created by Barry T. Hirsch and David A. Macpherson, which uses Current Population Survey (CPS) data, New York State, in 2016, had 967,889 workers in the public sector that were members of a union and/or covered under a collective bargaining agreement, representing 70.2% of all employed workers in the public sector; and

**Whereas**, According to Ruth Milkman, Academic Director of the Joseph F. Murphy Institute for Worker Education and Labor Studies, using CPS data for 18 months spanning January of 2016 to June of 2017, there were 359,255 public sector workers that were members of a union and/or covered under a collective bargaining agreement within New York City; and

**Whereas**, The State of the Unions 2017 report by Ruth Milkman and Stephanie Luce states that New York State's Taylor Law requires every New York State public sector union to represent all members in collective bargaining agreements, including non-union members, allowing these unions to collect mandatory dues and fees to cover the cost of representation for both union members and non-union members; and

**Whereas**, According to the Washington Examiner, the United States Supreme Court has agreed to hear *Janus v. AFSCME*, which deals with the constitutionality of public sector jobs requiring employees, regardless of union membership, to pay a fee (fair-share fee) that covers the union's costs in negotiating contracts for those employees; and

**Whereas**, A ruling in favor of the plaintiff could be a costly setback for public sector unions in 22 states, including New York, where such fees are authorized by law; and

**Whereas**, The United States Supreme Court has ruled on fair-share fees in the 1977 case of *Abood v. Detroit Board of Education*, in which the Court upheld the legality of fair-share fees; and

**Whereas**, In 2016, the United States Supreme Court was deadlocked, with a 4 to 4 vote, on the case of *Friedrichs v. California Teachers Association*, which dealt with fair-share fees; and

**Whereas**, According to the State University of New York (SUNY) Rockefeller Institute of Government, five of New York State's largest public employee unions collected nearly 500 million dollars in 2016 in dues and fees from the employees they represent; and

**Whereas**, If *Janus v. AFSCME* successfully overturns the 40-year old *Abood* Supreme Court Case, automatically deducting dues from employee paychecks could become unconstitutional, causing public sector unions, nationwide, to lose members and revenue, which could diminish union's power to collectively bargain for their workers; and

**Whereas**, The Economic Policy Institute claims that prohibiting fair-share fees could negatively affect millions of public sector workers in efforts to negotiate and improve their terms and conditions of employment; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the United States Supreme Court to protect public sector collective bargaining in *Janus v. American Federation of State, County and Municipal Employees (AFSCME)*.

Referred to the Committee on Civil Service and Labor.

## Preconsidered Int. No. 1757

By Council Members Treyger, Dromm, Levine and Rose.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on student-to-student harassment and bullying**

*Be it enacted by the Council as follows:*

Section 1. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

*Chapter 13. Reporting on Student-to-Student Harassment and Bullying*

*§ 21-975 Reporting on student-to-student harassment and bullying.*

*a. For the purposes of this section, the following terms have the following meanings:*

*Complaint. The term "complaint" means an oral or written complaint submitted to the department and determined to contain allegations of student-on-student bullying, harassment, intimidation, or discrimination in violation of chancellor's regulation A-832.*

*Notice. The term "notice" means a notice issued to a parent whose child was the alleged victim in a complaint and advising such parent whether the allegations in the complaint were substantiated.*

*Student. The term "student" means any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school of the city school district of the city of New York, not including a pre-kindergarten student or a preschool child as preschool child is defined in section 4410 of the education law.*

*b. No later than April 30, 2018, and every six months thereafter on or before April 30 and October 31, respectively, the department shall submit to the council and post conspicuously on the department's website, a report for the preceding six month period, which shall include:*

*1. The total number of incidents that have been determined by the department to be substantiated incidents of student-on-student bullying, harassment, intimidation, or discrimination in violation of chancellor's regulation A-832;*

*2. The total number of unique complaints;*

*3. The total number of notices sent;*

*4. The average number of days between the submission of a complaint and the issuance of a notice related to such complaint;*

*5. The total number of students who have been determined by the department to have experienced two or more substantiated incidents of student-on-student bullying, harassment, intimidation, or discrimination in violation of chancellor's regulation A-832 within a school year; and*

*6. The total number of students identified in paragraph 5 for whom follow-up action was provided pursuant to chancellor's regulation A-832, including a description of the follow-up action taken.*

*c. All information required to be reported pursuant to subdivision b shall be disaggregated by school and community school district.*

*d. Not later than October 31, 2018, and annually thereafter on or before October 31, the department shall include in its report submitted in October pursuant to subdivision b:*

*1. A description of any resources and support provided by the department to schools related to preventing, reporting, and addressing incidents of student-to-student bullying, harassment, intimidation, or discrimination;*

*2. A description of any trends reflected in the data reported pursuant to subdivision b, including any trends related to the types of incidents determined by the department to be substantiated incidents of student-to-student bullying, harassment, intimidation, or discrimination in violation of chancellor's regulation A-832; and*

*3. A description of any recommendations to address any such trends, including, but not limited to, training relevant staff members.*

*e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of*

*student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 students, or contains an amount that would allow the amount of another category that is five or less to be deduced, the number shall be replaced with a symbol.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Education (preconsidered but laid over by the Committee on Education).

Int. No. 1758

By Council Members Ulrich, Vallone and Borelli.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring council approval before the removal of a statue on city property**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-210 to read as follows:

§ 4-210 *Removal of statues on city property. a. Definitions. For purposes of this section, the term “statue” means a three-dimensional sculpture, carving or other piece of public art depicting one or more persons that commemorates one or more persons or a historical event and is not a temporary exhibition.*

*b. No statue on property owned or controlled by the city may be permanently removed without at least the majority affirmative vote of all the council members.*

§ 2. This local law becomes effective immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and approved by a majority of such electors voting thereon.

Referred to the Committee on Governmental Operations.

Int. No. 1759

By Council Members Vallone and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of the aging to report on senior centers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-207 to read as follows:

§21-207 *Senior citizen centers a. For the purposes of this section, the following terms have the following meaning:*

*Activity. The term “activity” means any activity designed to encourage socialization, mental wellness, healthy living, or physical exercise.*

*Senior citizen. The term “senior citizen” means a person 60 years of age and older.*

*Services. The term “services” means services designed to improve the quality of life of senior citizens. Such services include, but are not limited to, abuse prevention services, health-related services, self-support services for the disabled, housekeeping services, special services for the blind, housing improvement services, home care assistance, personal care assistance, home delivered meals, education and job training services, and care giver support services.*

*b. Not later than September 1, 2018, and annually thereafter on September 1, the department shall submit to the speaker of the council and post to its website an annual report regarding the programs, services, costs, and rates of utilization for all senior centers under the department's jurisdiction.*

*c. The annual report shall include, but not be limited to, the following information:*

- 1. The total costs associated with each senior citizen center;*
- 2. The total number and percentage of senior citizens who visited each senior center and the name of the senior center, further disaggregated by ethnicity, age, and gender;*
- 3. The average daily attendance at each senior center;*
- 4. The total number of meals and the time they are served at each senior center;*
- 5. The total number and percentage of seniors who have meals delivered to their homes;*
- 6. The total number and percentage of elder abuse cases documented at each senior center;*
- 7. The total time it takes to identify, investigate, and resolve an elder abuse case at each senior center;*
- 8. The case management ratio of a case manager to senior citizens at each senior center;*
- 9. The total number, including the descriptions, of the services that are offered at each senior center;*
- 10. The total number, including the descriptions, of activities offered at each senior center;*
- 11. The total number and percentage of senior citizens who were offered home care assistance;*
- 12. The total number and percentage of senior citizens who accepted home care assistance;*
- 13. The total number and percentage of senior citizens who refused home care assistance;*
- 14. The total number and percentage of senior citizens who are receiving home care assistance, further disaggregated by seniors citizens who are receiving home care assistance for free, and those who pay for home care assistance; and*
- 15. The total number of home care hours provided to senior citizens, and further disaggregated by whether the home care assistance was for housekeeping or personal care;*

*d. All information required by this section shall be disaggregated by borough, council district, and community district.*

*e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of a senior citizen's information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.*

§2. This local law takes effect immediately.

Referred to the Committee on Aging.

Preconsidered L.U. No. 798

By Council Member Greenfield:

**Application No. 20185050 HKM (N 180078 HKM) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the New York Public Library (Stephen A. Schwartzman Building) Interiors located at 476 Fifth Avenue (Block 1257, Lot 1), as an interior landmark, Borough of Manhattan, Community Board 5, Council District 4.**

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses).

Preconsidered L.U. NO. 799

By Council Member Greenfield:

**Application No. 20185103 HAK submitted by the New York City Department of Housing Preservation and Development for approval of a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for property located at Block 4496, Lot 29, Borough of Brooklyn, Community District 5, Council District 42.**

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Zoning and Franchises).

L.U. No. 800

By Council Member Greenfield:

**Application No. C 170392 ZMX submitted by submitted by the Park Lane Residence Co. pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 7a, changing an R6 district to an R8/C2-4 district on property located on White Plains Road between Turnbull Avenue and Lafayette Avenue, Borough of the Bronx, Community Board 9, Council District 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 801

By Council Member Greenfield:

**Application No. N 170393 ZRX submitted by submitted by the Park Lane Residence Co. pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community Board 9, Council District 18.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 802

By Council Member Greenfield:

**Application No. C 170445 ZMX submitted by submitted by 1776 Eastchester Realty LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 4a and 4b, changing an M1-1 district to R5, C4-2 and C4-2A districts on property located at 1776 Eastchester Road, Borough of the Bronx, Community Board 11, Council District 13.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 803

By Council Member Greenfield:

**Application No. N 170446 ZRX submitted by submitted by 1776 Eastchester Realty LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community Board 11, Council District 13.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 804

By Council Member Greenfield:

**Application No. C 170447 ZSX submitted by submitted by 1776 Eastchester Realty LLC, Hutch 34 Industrial Street, LLC and Hutch 35 LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-70(a)(2) of the Zoning Resolution to allow for a non-profit hospital staff dwelling to be located on property at 1776 Eastchester Road, Borough of the Bronx, Community Board 11, Council District 13. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 805

By Council Member Greenfield:

**Application No. N 170442 ZMM submitted by submitted by NBT Victory Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a, changing a C4-4A district to a C4-7 district on property located 5<sup>th</sup> Avenue between Dr. Martin Luther King Boulevard and East 126<sup>th</sup> Street, Borough of the Manhattan, Community Board 11, Council District 9.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 806

By Council Member Greenfield:

**Application No. N 170443 ZRM submitted by submitted by NBT Victory 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 7 (Special 125<sup>th</sup> Street District) to establish regulations for the proposed C4-7 district and for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Manhattan, Community Board 11, Council District 9.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 807

By Council Member Greenfield:

**Application No. C 170444 ZSM submitted by submitted by NBT Victory Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to waive 72 required off-street parking spaces for a proposed development on property located 5<sup>th</sup> Avenue between Dr. Martin Luther King Boulevard and East 126<sup>th</sup> Street, Borough of the Manhattan, Community Board 11, Council District 9. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 808

By Council Member Greenfield:

**Application No. C 170416 ZMK submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for the amendment of the Zoning Map, Section No. 17b, to change an existing R6 district to an R7-2 district with a C2-4 commercial overlay for property bounded by Rogers Avenue, President Street, and Bedford Avenue, Borough of Brooklyn, Community District 9, Council District 35.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 809

By Council Member Greenfield:

**Application No. N 170417 ZRK submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment to the text of Appendix F of the Zoning Resolution to establish a mandatory inclusionary housing areas for property located at , for property bounded by Rogers Avenue, President Street, and Bedford Avenue, Block 1274, Lot 1, Borough of Brooklyn, Community District 9, Council District 35.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 810

By Council Member Greenfield:

**Application No. C 170418 ZSK submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-664 and 35-65 to facilitate a proposed mixed use development, within a large scale general development, for property located at Block 1274, Lot 1, Borough of Brooklyn, Community District 9, Council District 35.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.



L.U. No. 811

By Council Member Greenfield:

**Application No. C 170419 ZSK submitted by the New York City Economic Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-532 of the Zoning Resolution to to reduce the number of required accessory residential off-street parking spaces from 129 to 118 spaces, in connection with a proposed mixed used development, within a large scale general development, in the Transit Zone, on property located at Bock 1274, Lot 1, Borough of Brooklyn, Community District 9, Council District 35.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

L.U. No. 812

By Council Member Greenfield:

**Application No. C 170420 PPK submitted by the Department of Citywide Administrative Services pursuant to Sections 197-c the New York City Charter, for the disposition of one city-owned property located at 1555 Bedford Avenue (Bock 1274, Lot 1), Borough of Brooklyn, Community District 9, Council District 35.**

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions and Concessions.

<http://legistar.council.nyc.gov/Calendar.aspx>

## A N N O U N C E M E N T S

**Wednesday, November 8, 2017**

[Committee on Housing and Buildings](#) ..... 10:00 a.m.  
**Int 1458** - By Council Members Lander and Williams - **A Local Law** to amend the administrative code of the city of New York, in relation to sales of cooperative apartments.  
**Int 1467** - By Council Members Williams and Lander - **A Local Law** to amend the administrative code of the city of New York, in relation to the timing of decision for sales of cooperative apartments.  
**Preconsidered Int \_\_\_\_** - By Council Member Grodenchik - A Local Law to amend the administrative code of the city of New York, in relation to J-51 benefit eligibility.  
 Council Chambers – City Hall Jumaane D. Williams, Chairperson

**Tuesday, November 14, 2017**

[Subcommittee on Zoning & Franchises](#)..... 9:30 a.m.  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Donovan Richards, Chairperson

[Committee on General Welfare](#)  
[Committee on Housing and Buildings](#) ..... 10:00 a.m.  
**Oversight** – HPD’s Coordination with DHS/HRA to Address the Homelessness Crisis.  
 Council Chambers – City Hall Stephen Levin, Chairperson  
 Jumaane D. Williams, Chairperson

[Committee on Youth Services](#) ..... 10:00 a.m.  
**Oversight** - DYCD’s Neighborhood Development Area (NDA) Opportunity Youth Program.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor Mathieu Eugene, 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](#)..... 1:00 p.m.  
**See Land Use Calendar**  
 Council Chambers – City Hall Rafael Salamanca, Chairperson

**Wednesday, November 15, 2017**

[Committee on Consumer Affairs](#)..... 10:00 a.m.  
**Oversight** - Enforcement of Local Law 17 of 2011 and the Regulation of Pregnancy Service Centers.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor Rafael L. Espinal, Chairperson

[Committee on Land Use](#) ..... 11:00 a.m.  
**All items reported out of the Subcommittees**  
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY  
 Committee Room – City Hall David G. Greenfield, Chairperson

[Committee on Oversight and Investigations](#) jointly with the  
[Committee on Public Safety](#).....1:00 p.m.

**Oversight** - Examining the Office of Inspector General for the NYPD.  
Council Chambers – City Hall

Vincent J. Gentile, Chairperson  
Vanessa L. Gibson, Chairperson

**Thursday, November 16, 2017**

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*  
*Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Mark-Viverito) noted that six weeks after Hurricane Maria had struck Puerto Rico, many residents of the Island still lack electricity, access to clean water and much needed resources, and are also deprived of information in regard to essential matters. She thanked the Governor, the Mayor, and her fellow Council colleagues who were able to visit the Island and show their support. The Speaker (Council Member Mark-Viverito) thanked Council Members and staff who lent their time and capital to relief efforts in Puerto Rico as well as to states and island nations similarly impacted during this hurricane season.

Also during the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the fifth anniversary of Hurricane Sandy striking New York City. She noted that the city continues to rebuild and that it was imperative to raise awareness for planning for future climate change.

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, November 16, 2017.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

