

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Tuesday, November 10, 2015, 1:48 p.m.

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

Council Members

Melissa Mark-Viverito, Speaker

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

Absent: Council Members Cabrera, King, Mealy, Mendez, and Palma.
Medical Leave: Council Member Dickens.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) thanked the Fort Hamilton U.S. Marine Corp Color Guard for their presentation during the Pledge of Allegiance at the opening of this Meeting. The Color Guard's ceremony was in recognition of the upcoming Veterans Day holiday on Wednesday, November 11, 2015.

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 are two vacancies in the Council pending the swearing-in of the respective winners of the Council elections held in the 23rd and 51st Districts on November 3, 2015.

There were 43 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 Pandit Tillack Seerattan, Shri Devi Mandir, 92-30 173rd Street, Jamaica, N.Y. 11433.

Good afternoon
Shall we bow our heads in prayers?

(a prayer is sung in a foreign language before reverting to English)

Oh Lord lead us from untruth to truth,
lead us from darkness to light,
lead us from death to immortality,
oh Lord let us be safe together, let us be rare together,
let us be united together, let there be peace among us.
We ask you in the prayer oh Lord
to make us an instrument of your peace.
Where there is hatred, let there be love.
Where there is doubt, let there be faith.
Where there is darkness, let there be light.
Where there is ignorance, let there be wisdom.
Bless our leaders oh Lord.
That if they cannot do great things,

let them do small things in great ways.
 We pray today and we ask you oh Lord
 to bless this meeting so our great leaders
 be sincere in their efforts to help others in need.
 As we bow our heads today and we pray
 that oh Lord that you are the lord of eternity.
 Help us look to the past with gratitude
 and to the future with hope.
 Bless us so that our lives may be dedicated
 to high purposes and grant us peace;
 make us unafraid of hopes and dreams.
 Teach us to be realistic about our limitations.
 Teach us oh Lord to use our freedom
 to help to preserve and strengthen the freedom of all.
 To you oh Lord we bow our heads again and again
Om Shanti, Shanti, Shanti.
 May there be peace, peace, peace in the world.
 Thank you. Amen.

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

During the Communication from the Speaker segment of the Meeting, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of those killed fourteen years ago in the crash of Flight 587 on November 12, 2001. The plane had left John F. Kennedy International Airport and was headed for the Dominican Republic when it crashed shortly after take-off in the Belle Harbor neighborhood of Queens. All 260 people on board and 5 people on the ground lost their lives.

ADOPTION OF MINUTES

Council Member Levine moved that the Minutes of the Stated Meeting of October 15, 2015 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-346

Communication from the Mayor - Designating special commercial abatement areas under the New York City Industrial and Commercial Abatement Program (ICAP) pursuant to paragraph c of subdivision 2 of RPTL section 489-gggggg and paragraph 3 of subdivision b of Section 11-274 of the administrative code.

Honorable Melissa Mark-Viverito

November 10, 2015

3906

Speaker of the Council
City Hall
New York, New York 10007

October 19, 2015

Dear Speaker Mark-Viverito,

Pursuant to paragraph (c) of subdivision 2 of Real Property Tax Law § 489-gggggg and the parallel paragraph (3) of subdivision b of Administrative Code § 11-274, this letter is to notify the City Council that, as part of the City's Industrial and Commercial Abatement Program (ICAP), the Temporary Commercial Incentive Area Boundary Commission has designated special commercial abatement areas. The boundaries are indicated in the attached borough maps and list of borough and block numbers.

Paragraph (d) of subdivision 2 of Real Property Tax Law § 489-gggggg and paragraph (4) of subdivision b of Administrative Code § 11-274 describe the Council's authority with respect to this designation.

Sincerely,

James Patchett
Designated Alternate for Deputy Mayor Alicia Glen, and Chair,
Temporary Commercial Incentive Area Boundary Commission

Received, Ordered, Printed and Filed.

M-347

Communication from the Mayor - Submitting the name of Janet Alvarez to the Council for its advice and consent regarding her appointment to the New York City Tax Commission, pursuant to Sections 31 and 153 of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112, New York, N.Y. 10007)

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL UPS

M-348

By Council Member Chin:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 643 Broadway, Borough of Manhattan, Community Board No. 2, Application No. 20165089 TCM shall be subject to review by the Council.

Coupled on Call-Up Vote

M-349

By Council Member Levin:

Pursuant to Rule 11.20(b) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application Nos. C 150399 PPK and C 150400 PPK, a disposition of city-owned property and a related acquisition of a condo unit to be used as a library, shall be subject to Council Review.

Coupled on Call-Up Vote

LAND USE 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 – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

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 THE STANDING COMMITTEES

Report of the Committee on Civil Service and Labor

Report for Int. No. 743-A

Report of the Committee on Civil Service and Labor 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 the establishment of an office of labor standards, and to repeal subdivision (i) of section 20-a of such charter and section 20-925 of such code, relating to the designation of an agency to enforce the Earned Sick Time Act.

The Committee on Civil Service and Labor, to which the annexed amended proposed local law was referred on April 16, 2015 (Minutes, page 1264), respectfully

REPORTS:

INTRODUCTION

On November 10, 2015, the Committee on Civil Service and Labor will hold a second hearing on Proposed Introduction No. 743-A, a local law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of an office of labor standards, and to repeal subdivision (i) of section 20-a of such charter and section 20-925 of such code, relating to the designation of an agency to enforce the Earned Sick Time Act (ESTA). The committee previously held a joint hearing on several pieces of legislation, including Int. 743, with the Committee on Women's Issues, on April 20, 2015. The committees heard testimony from the Department of Consumer Affairs, advocates, and other interested parties. The bill subsequently had numerous amendments, discussed below; however, the overall purpose and general responsibilities of the office are essentially unchanged since the first hearing.

BACKGROUND

Across New York City, over 3.5 million employees work in private sector jobs.¹ Many of these employees, particularly those in low-wage industries, experience poor work conditions in which their employer violates basic workplace rights under federal, state, and local law. A 2014 report prepared for the United States Department of Labor found that 339,000 minimum wage violations occurred in New

¹ New York State Department of Labor, *Labor Statistics for the New York City Region-NYC Current Employment Statistics*, <http://labor.ny.gov/stats/nyc/NYCcurr.xls> (last accessed April 13, 2015)

York State per month, covering 6.5% of all non-exempt jobs in the state.² These violations cost employees \$20.1 million in weekly lost income, or approximately 47.5 percent of the earned income of those who experienced a violation.³ The National Employment Law Project (NELP)'s report *Working Without Laws* found several other types of violations in New York City's low-wage industries.⁴ These included overtime violations, non-payment for work performed outside scheduled hours, meal break violations, pay stub violations and illegal deductions, tipped job violations, and illegal employer retaliation.⁵ More than 50 percent of the workers surveyed by NELP experienced at least one type of pay-related workplace violation in the previous week of work.⁶ Employer retaliation was also found to be a common practice, as 42 percent of workers who filed a complaint or attempted to organize a union were retaliated against by their employer.⁷ The report further found that while workplace violation rates varied significantly by industry and occupation, workers employed by both small (less than 100 employees) and large companies experienced violations.⁸

In her February 2015 State of the City speech, Council Speaker Melissa Mark-Viverito expressed a desire to create an Office of Labor in New York City which would study and promote programs on worker protections, education and safety, and enforce City laws such as paid sick leave and transit benefits.⁹ Speaker Mark-Viverito further commented that the office would help workers and employers understand their rights and responsibilities and assist businesses in complying with the law.¹⁰

In recent years, the Council has enacted two major laws providing additional benefits and protections for employees in New York City. These are the ESTA (commonly referred to as "Paid Sick Leave") and Pre-Tax Mass Transit Benefits.

ESTA

On June 26, 2013, the Council voted to override Mayor Michael Bloomberg's veto and to pass Local Law 46 of 2013 (Local Law 46), which amended the New York City Charter (the "Charter") and created a new Chapter 8 in Title 20 of the Administrative Code titled "Earned Sick Time Act" (ESTA).¹¹ Pursuant to enactment

² U.S. Department of Labor, *The Social and Economic Effects of Wage Violations: Estimates for California and New York* 3 (December 2014), available at

<http://www.dol.gov/asp/evaluation/completed-studies/WageViolationsReportDecember2014.pdf>

³ *Id.*

⁴ National Employment Law Project, *Working Without Laws: A Survey of Employment and Labor Law Violations in New York City* (2010), available at

<http://nelp.org/content/uploads/2015/03/WorkingWithoutLawsNYC.pdf>.

⁵ *Id.* at 2-3.

⁶ *Id.* at 24.

⁷ *Id.*

⁸ *Id.* at 35.

⁹ Council of the City of New York, *New York City Council Speaker Melissa Mark-Viverito State of the City 2015 Remarks as Prepared for Delivery* (February 11, 2015), available at

<http://council.nyc.gov/html/pr/021115rmk.shtml>.

¹⁰ *Id.*

¹¹ Local Law 46/2013.

requirements contained in Local Law 46¹² being met on December 16, 2013, ESTA was effective as of April 1, 2014.¹³ Subsequently, in February 2014, the City enacted Local Law 7 of 2014 (Local Law 7), which greatly expanded the scope of ESTA, through legislation introduced at the request of Mayor de Blasio.¹⁴

New York City's ESTA is the largest municipal law of its kind in the United States. The law requires certain employers to provide covered employees with sick leave for the care and treatment of themselves or a family member.¹⁵ Local Law 46 named the Department of Consumer Affairs (DCA) as the agency to administer and enforce ESTA,¹⁶ and required DCA to create materials for employers to use to provide the required notice to their employees and to provide these materials in various languages.¹⁷

Furthermore, DCA is responsible for investigating alleged violations of the law and enforcing employee rights thereunder.¹⁸ Any individual alleging a violation of ESTA has two years from the date the individual knew or should have known of the violation to file a complaint with DCA.¹⁹ DCA then has thirty days to investigate the complaint and attempt to resolve it through mediation.²⁰ If such a violation is found to have occurred, DCA may impose penalties and grant an employee or former employee appropriate relief.²¹ Local Law 7 gave the Commissioner of DCA the power, in addition to the receipt, investigation, and resolution of complaints, to conduct investigations into potential violations of ESTA on his or her own initiative.²²

Mass Transit Benefits Law

In October 2014, the Council enacted, and Mayor de Blasio signed into law, Local Law 53 ("Mass Transit Benefits Law"), which required New York City companies with 20 or more employees to offer pre-tax transit benefits.²³ Any employer in violation of the city's Mass Transit Benefits Law is liable for a civil

¹² Local Law 46/2013, § 7.

¹³ Local Law 46 tied its effective date to the City's economic activity, as measured by the New York City Coincident Economic Index or similar successor index (the Index). The law required the Independent Budget Office (IBO) to look to the Index on December 16, 2013, and again every 6 months (every June 16 and December 16) until such time that it found the city's economic activity to be at or above its January 2012 level. On December 16, 2013, the IBO determined that the Index had returned to its January 2012 level. Accordingly, ESTA was set to take effect April 1, 2014 in accordance to the schedule detailed by Local Law 46.

¹⁴ Local Law 7/2014.

¹⁵ N.Y.C. Department of Consumer Affairs, Paid Sick Leave Law: What Employees Need to Know, available at <http://www1.nyc.gov/site/dca/about/paid-sick-leave-what-employees-need-to-know.page> (last accessed April 14, 2015)

¹⁶ Local Law 46/2013, sec 2

¹⁷ Local Law 46/2013, sec. 3/20-919(b)

¹⁸ N.Y.C. Department of Consumer Affairs, Paid Sick Leave Law: FAQs, available at <http://www1.nyc.gov/site/dca/about/paid-sick-leave-FAQs.page> (last accessed April 14, 2015)

¹⁹ N.Y.C. Administrative Code §20-924(b)

²⁰ *Id.* at 20-924(c)

²¹ *Id.* at 20-924(d)

²² Local Law 7/2014

²³ Local Law 53/2014

penalty of between \$100-250 for the first violation.²⁴ Employers are given ninety days to cure the first violation before a civil penalty may be imposed.²⁵ After the expiration of this ninety-day period, every thirty-day period in which the employer fails to offer this benefit constitutes a subsequent violation with a penalty of \$250 imposed for each subsequent violation.²⁶ Upon taking effect in January 2016, the law, as currently structured, would also be enforced by DCA.²⁷

Under the revised Proposed Int. 743-A, the Mayor is empowered with additional discretion as to where to establish the Office of Labor Standards.

ANALYSIS

Section one of Proposed Int. No. 743-A would amend the New York City Charter (the “Charter”) to add a new section 20-a entitled “Office of Labor Standards.” Subdivision a of this section would require the Mayor to establish an Office of Labor Standards (the “Office”), which may be established within the Executive Office of the Mayor, either as a separate office or within an existing office, or may be established within any department where the head is appointed by the Mayor. The bill would provide that the Office be headed by a director (the “Director”) appointed by either the Mayor or the head of the department within which the Office is established.

Subdivision b of such section would establish the functions of the Director, which would include: to plan, make recommendations, conduct research, and develop programs for worker education, safety, and protection; to facilitate the exchange and dissemination of information in consultation with city agencies, federal and state officials, businesses, employees, independent contractors and non-profit organizations working in the areas of worker education, safety, and protection; to provide educational materials to employers and develop programs, including administrative support, to assist employers with compliance with labor laws; to implement public education campaigns to heighten awareness of employee rights under federal, state, and local law(v) collect and analyze available federal, state, and local data on the city’s workforce and workplaces and coordinate with federal and state officials and other city agencies to identify gaps and prioritize areas for the improvement of working conditions and practices for employees and independent contractors in the city and within particular industries, and to promote the implementation and enforcement of laws, rules and regulations designed to improve such working conditions and practices; and to recommend efforts to achieve workplace equity for women, communities of color, immigrants and refugees, and other vulnerable workers.

Furthermore, subdivision c of such new charter section would imbue the Director with all of the powers of the Commissioner of Consumer Affairs set forth in section 2203 of the Charter in connection with Chapter 8 (Earned Sick Time Act) and

²⁴ N.Y.C. Administrative Code §20-926(b)

²⁵ *Id.*

²⁶ *Id.*

²⁷ N.Y.C. Department of Consumer Affairs, Pre-Tax Transit Benefits Law, *available at* <http://www1.nyc.gov/site/dca/about/pre-tax-transit-benefits-law.page> (last accessed April 14, 2015)

Chapter 9 (Mass Transit Benefits) of Title 20 of the Administrative Code (the “Code”).

Subdivision d of such section would authorize the Director to receive complaints, conduct investigations in response to complaints or upon his or her initiative, hold public and private hearings, administer oaths, take testimony, serve subpoenas, receive evidence, mediate disputes, and to receive, administer, pay over and distribute monies collected in and as a result of actions brought for violations of any law the director is empowered to enforce. It would also authorize the Director to promulgate rules necessary to carry out his or her functions, powers, and duties.

Subdivision e of such section would further authorize the Director, upon due notice and hearing, to render decisions and orders, including the imposition of civil penalties, and to order equitable relief or the payment of monetary damages for the violations of any rules, regulations, or laws that he or she is empowered to enforce pursuant to such section. The bill would provide that these remedies or penalties are in addition to any other remedies or penalties provided by law. Further, this subdivision would require that all such actions or proceedings would be commenced by the service of a notice of violation. The director would prescribe the form and wording of such notices. The notice of violation or copy thereof when filled in and served shall constitute notice of the violation charged, and if sworn and affirmed, would be prima facie evidence of the facts contained therein.

Subdivision f of such section would state that the director would possess such powers in addition to any other powers that may be assigned to him or her, pursuant to any other provision of law, by the mayor or head of such department wherein the office has been established.

Subdivision g of such section would state that notwithstanding any other provision of law, the mayor would be empowered to designate an agency or agencies other than the office of labor standards to perform any of the functions of the director, as described in this section and subchapter four of chapter one of title three of the administrative code of the city of New York. Such agency or agencies may be within any other office of the mayor or within any department the head of which is appointed by the mayor. Upon such designation, such agency or agencies would be deemed to have the powers of the director as set forth in this section and subchapter four of chapter one of title three of such Administrative Code with respect to the function or functions so designated.

Bill section two of Proposed Int. No. 743 would repeal subdivision (i) of section 2203 of the Charter. This section allowed the Mayor to designate another agency to administer ESTA, which is now moot, because this law otherwise authorizes such action.

The third section of the bill would amend the Administrative Code (the “Code”) to add a new subchapter 4 entitled “Office of Labor Standards.” The bill would create new Section 3-140 of the Code and would define the term “director” in subdivision a as “the director of the office of labor standards” for the purposes of the section. This section would require that no later than February 15, 2017, and no later than every February fifteenth thereafter, the director would post on the office’s website the following information for the prior calendar year regarding enforcement of chapter 9 of title 20 of the Code: the number of complaints against employers filed with the Office; the number of investigations conducted by the Director; the results

of each enforcement action undertaken by the Director; and such other information as the Director may deem appropriate.

Bill section four would amend subdivision s of Section 20-912 of the Code (Earned Sick Time Act), to provide that the term “Department” no longer refers to the Department of Consumer Affairs, but will now refer to such office or agency that the Mayor designates for placement of the Office of Labor Standards under Section 20-a of the Charter. It would also add a new definition for “Commissioner,” which would be the head of the agency designated in section 20-a of the charter to administer the Earned Sick Time Act”

Bill section five would repeal section 20-925 of the Code, which allowed the Mayor to designate an agency other than Consumer Affairs to administer ESTA, and is now moot because of language elsewhere in this bill.

The sixth bill section would amend subdivision e of section 20-926 (Transit Benefits Law), adding definitions for “department,” which would mean such office or agency as the mayor shall designate pursuant to section 20-a of the charter and “commissioner,” which would mean the head of such office or agency.

Bill section seven would amend section 3 of Local Law 53 of 2014, the legislation that enacted the Transit Benefits Law, and indicate that such law would take effect on January 1, 2016 provided that the head of the office rather than the Commissioner of Consumer Affairs, the director of the office or agency as the mayor shall designate pursuant to section 20-a of the New York city charter (rather than the Commissioner of Consumer Affairs), would, prior to the effective date of such local law, promulgate such rules, and take such other steps, as may be necessary to effectuate the provisions of this local law on its effective date and in the event qualified transportation benefits are no longer permitted to be excluded from an employee's gross income or federal income tax purposes and from an employer's wages for federal payroll tax purposes, such local law would no longer be effective.

Section eight of the bill would state that any rule promulgated by the department of consumer affairs pursuant to a power transferred by Proposed Int. No. 743-A to the office of labor standards, as described in section 20-a of the New York city charter or such office or agency as the mayor has designated pursuant to such section, and in force upon the effective date of such transfer, would continue in force as the rule of the agency or officer to whom such power is transferred, unless and until such rule is superseded, amended, or repealed.

The ninth section of the bill would state that, unless otherwise provided by law, all actions and proceedings commenced by the department of consumer affairs under or by virtue of a power transferred by Proposed Int. No. 743-A to the office of labor standards, as described in section 20-a of the New York city charter, or such office or agency as the mayor has designated pursuant to section 20-a, and pending immediately prior to such transfer may be prosecuted and defended to final effect in the same manner by the agency or officer to whom such power is transferred as if such power were not so transferred. All interested parties to such actions would be informed by the designated office or agency of the transfer of the action or proceeding within thirty days of the transfer.

The bill's tenth section would state that the enactment of this local law would not affect or impair any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time such

enactment takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such local law had not been enacted.

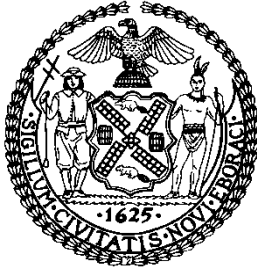
The eleventh and final section of the bill is the enactment clause. It states that the law would take effect one hundred and twenty days after its enactment into law except that, prior to such date, the director of the office of labor standards shall take such actions, including the promulgating of rules, as are necessary to implement the provisions of this local law. Such section also states that sections six and seven of this local law would take effect on the same date and in the same manner as local law number 53 for the year 2014 Transit Benefits Law); any reference to chapter 9 of title 20 of the administrative code of the city of New York set forth in sections one and three of this local law shall take effect on the same date on the same date and in the same manner as local law number 53 for the year 2014.

SUMMARY OF AMENDMENTS

Following are significant amendments made to Int. No. 743 after the hearing on April 20, 2015:

- Independent contractors would be added to list of entities the office has jurisdiction over;
- The description of the majority of the office's powers and responsibilities would be moved from the Code to the Charter;
- The director of the office would be able to initiate complaints at his or her discretion;
- Language regarding designation of agency in the ESTA would be repealed as moot; and
- Language was added regarding the transfer of complaints if the agency designated to administer ESTA changes.

(The following is the text of the Fiscal Impact Statement for Int. No. 743-A:)



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

**LATONIA MCKINNEY,
DIRECTOR**

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 743-A

COMMITTEE: Civil Service
and Labor

TITLE: A LOCAL LAW to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of an office of labor standards, and to repeal subdivision (i) of section 20-a of such charter and section 20-925 of such code, relating to the designation of an agency to enforce the Earned Sick Time Act.

SPONSOR(S): The Speaker (Council Member Mark-Viverito) and Council Members Lancman, Johnson, Levin, Ferreras-Copeland, Miller, Arroyo, Cabrera, Chin, Constantinides, Dromm, Eugene, Gibson, Koo, Koslowitz, Palma, Richards, Cohen, Rodriguez, Rosenthal and Torres

SUMMARY OF LEGISLATION: This legislation would establish an Office of Labor Standards either within the office of the Mayor or within any mayoral agency, at the Mayor's discretion, with the director appointed either by the mayor or the agency head.

The director's responsibilities would include, but not be limited to: 1) planning, making recommendations, conducting research, and developing programs for workers' education, safety, and protection; 2) providing educational materials to employers and developing programs to assist employers with labor law compliance; 3) implementing public education campaigns to heighten understanding of employees' rights; 4) collecting and analyzing data on the City's workforce; and 5) recommending efforts to achieve workplace equity for women, communities of color, immigrants, and other vulnerable workers. The director is likely to have the authority to enforce the City's Earned Sick Leave and Mass Transit Benefit laws, including the authority to issue notices of violation, hold hearings, render decisions, and issue civil penalties.

In addition, the bill would require that the director annually post a report on the Office of Labor Standards' website, data related to the number of complaints filed,

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the number of investigations conducted, and the results of enforcement actions taken the director during the prior calendar year.

EFFECTIVE DATE: This local law would take effect 120 days after its enactment into law, except that prior to such date the director of the Office of Labor Standards would be able to take such actions, including the promulgation of rules, necessary to implement the provisions of the local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$123,000	\$185,000	\$185,000
Net	(\$123,000)	(\$185,000)	(\$185,000)

IMPACT ON REVENUES: Although the legislation authorizes the director to impose civil penalties on employers who violate the laws enforced by the Office of Labor Standards, it is anticipated that there will be no impact on revenues resulting from the enactment of this legislation as full compliance with the law is assumed.

IMPACT ON EXPENDITURES: It is anticipated that the legislation would impact expenditures in the amount of \$185,000 annually which represents the combined salary and total benefits of the director. The salary was calculated from the average of directors' salaries from the Civil List. The office will use the existing resources within the Mayoral office or agency in which it is housed to perform the office's analytical, legal and administrative duties.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Paul Sturm, Supervising Financial Analyst, Finance Division

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division

Rebecca Chasan, Assistant Counsel, Finance
Division

LEGISLATIVE HISTORY: Intro. No. 743 was introduced to the Council on April 16, 2015, and was referred to the Committee on Civil Service and Labor. This legislation was considered at a joint hearing of the Committee on Civil Service and Labor and the Committee on Women's Issues on April 20, 2015 and was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 743-A, will be considered by the Committee on Civil Service and Labor at a hearing on November 10, 2015. Upon successful vote by the Committee, Proposed Intro. No. 743-A will be submitted to the full Council for a vote on November 10, 2015.

DATE PREPARED: November 6, 2015.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 743-A:)

Int. No. 743-A

By The Speaker (Council Member Mark-Viverito) and Council Members Lancman, Johnson, Levin, Ferreras-Copeland, Miller, Arroyo, Cabrera, Chin, Constantinides, Dromm, Eugene, Gibson, Koo, Koslowitz, Palma, Richards, Cohen, Rodriguez, Rosenthal, Torres, Menchaca, Kallos, Lander and Barron.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of an office of labor standards, and to repeal subdivision (i) of section 20-a of such charter and section 20-925 of such code, relating to the designation of an agency to enforce the Earned Sick Time Act.

Be it enacted by the Council as follows:

Section 1. Chapter one of the New York city charter is amended by adding a new section 20-a to read as follows:

§ 20-a. **Office of Labor Standards.** *a. The mayor shall establish an office of labor standards. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or head of such department.*

b. The director shall:

(i) plan, make recommendations, conduct research and develop programs for worker education, worker safety and worker protection;

(ii) facilitate the exchange and dissemination of information in consultation with city agencies, federal and state officials, businesses, employees, independent contractors and nonprofit organizations working in the field of worker education, safety, and protection;

(iii) provide educational materials to employers and develop programs, including administrative support, to assist employers with compliance with labor laws;

(iv) implement public education campaigns to heighten awareness of employee and independent contractor rights under federal, state, and local law;

(v) collect and analyze available federal, state, and local data on the city's workforce and workplaces and coordinate with federal and state officials and other city agencies to identify gaps and prioritize areas for the improvement of working conditions and practices for employees and independent contractors in the city and within particular industries, and to promote the implementation and enforcement of laws, rules and regulations designed to improve such working conditions and practices; and

(vi) recommend efforts to achieve workplace equity for women, communities of color, immigrants and refugees, and other vulnerable workers.

c. Notwithstanding any other provision of law, the director shall have all powers of the commissioner of consumer affairs as set forth in section 2203 of this charter in connection with the enforcement of chapter 8 of title 20 of the administrative code of the city of New York regarding the earned sick time act and shall have the power to enforce chapter 9 of title 20 of such code regarding mass transit benefits.

d. The director, in the performance of his or her functions, powers and duties, including but not limited to those functions, powers and duties pursuant to subdivision c of this section, shall be authorized to receive complaints, conduct investigations in response to complaints or upon his or her initiative, hold public and private hearings, administer oaths, take testimony, serve subpoenas, receive evidence, mediate disputes, and to receive, administer, pay over and distribute monies collected in and as a result of actions brought for violations of any law the director is empowered to enforce. The director shall have the power to promulgate rules necessary to carry out such functions, powers, and duties.

e. 1. The director shall be authorized, upon due notice and hearing, to render decisions and orders, including the imposition of civil penalties, and to order equitable relief or the payment of monetary damages for the violation of any rules, regulations or laws the director is empowered to enforce pursuant to this section, the provisions of subchapter four of chapter one of title three of the administrative code of the city of New York or any other general, special or local law. The remedies or penalties provided for in this subdivision shall be in addition to any other remedies or penalties provided by law for the enforcement of such provisions.

2. All such actions or proceedings shall be commenced by the service of a notice of violation. The director shall prescribe the form and wording of such notices. The notice of violation or copy thereof when filled in and served shall constitute notice of the violation charged, and if sworn and affirmed, shall be prima facie evidence of the facts contained therein.

3. *The office of administrative trials and hearings may exercise all adjudicatory powers conferred upon the director by the charter, the administrative code of the city of New York, or any other general, special or local law consistent with chapter 45-A of the charter.*

f. *The director shall possess such powers in addition to any other powers that may be assigned to him or her, pursuant to any other provision of law, by the mayor or head of such department wherein the office has been established.*

g. *Notwithstanding any other provision of law, the mayor may designate an agency or agencies other than the office of labor standards to perform any of the functions of the director, as described in this section and subchapter four of chapter one of title three of the administrative code of the city of New York. Such agency or agencies may be within any other office of the mayor or within any department the head of which is appointed by the mayor. Upon such designation, such agency or agencies shall be deemed to have the powers of the director as set forth in this section and subchapter four of chapter one of title three of such administrative code with respect to the function or functions so designated.*

§ 2. Subdivision (i) of section 2203 of the New York city charter is REPEALED.

§ 3. Chapter one of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

**SUBCHAPTER 4
OFFICE OF LABOR STANDARDS**

§ 3-140 **Office of Labor Standards.** a. *For purposes of this section, "director" means the director of the office of labor standards.*

b. *No later than February 15, 2017, and no later than every February fifteenth thereafter, the director shall post on the office's website the following information for the prior calendar year regarding enforcement of chapter 9 of title 20 of the code:*

- i. *the number of complaints against employers filed with the office;*
- ii. *the number of investigations conducted by the director;*
- iii. *the results of each enforcement action undertaken by the director; and*
- iv. *such other information as the director may deem appropriate.*

§ 4. Subdivision s of section 20-912 of the administrative code of the city of New York, as added by local law number 7 for the year 2014, is amended and a new subdivision w is added to such section to read as follows:

s. "Department" shall mean [the department of consumer affairs or] *such office or [other] agency as the mayor shall designate pursuant to [section 20-925 of this chapter] section 20-a of the charter.*

w. "Commissioner" shall mean *the head of such office or agency as the mayor shall designate pursuant to section 20-a of the charter.*

§ 5. Section 20-925 of the administrative code of the city of New York is REPEALED.

§ 6. Section 20-926 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. For the purposes of this chapter, "department" shall mean such office or agency as the mayor shall designate pursuant to section 20-a of the charter and "commissioner" shall mean the head of such office or agency.

§ 7. Section three of local law number 53 for the year 2014 is amended to read as follows:

§ 3. This local law shall take effect January 1, 2016, provided that (i) the [commissioner of consumer affairs] *the head of such office or agency as the mayor shall designate pursuant to section 20-a of the New York city charter, as added by section one of this local law*, shall, prior to the effective date of this local law, promulgate such rules, and take such other steps, as may be necessary to effectuate the provisions of this local law on its effective date and (ii) in the event qualified transportation benefits are no longer permitted to be excluded from an employee's gross income for federal income tax purposes and from an employer's wages for federal payroll tax purposes, this local law shall no longer be effective.

§ 8. Any rule promulgated by the department of consumer affairs pursuant to a power transferred by this local law to the office of labor standards, as described in section 20-a of the New York city charter, as added by section one of this local law or such office or agency as the mayor shall designate pursuant to subdivision g of such section, and in force upon the effective date of such transfer shall continue in force as the rule of the agency or officer to whom such power is transferred, unless and until such rule is superseded, amended, or repealed.

§ 9. Unless otherwise provided by law, all actions and proceedings commenced by the department of consumer affairs under or by virtue of a power transferred by this local law to the office of labor standards, as described in section 20-a of the New York city charter, as added by section one of this local law or such office or agency as the mayor shall designate pursuant to subdivision g of such section, and pending immediately prior to such transfer may be prosecuted and defended to final effect in the same manner by the agency or officer to whom such power is transferred as if such power were not so transferred. All interested parties to such actions shall be informed by the designated office or agency of the transfer of the action or proceeding within thirty days of the transfer.

§ 10. The enactment of this local law shall not affect or impair any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time such enactment takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such local law had not been enacted.

§ 11. This local law takes effect one hundred and twenty days after its enactment into law except that:

a. Prior to such date the director of the office of labor standards, as described in section 20-a of the New York city charter, as added by section one of this local law, shall take such actions, including the promulgating of rules, as are necessary to implement the provisions of this local law;

b. Sections six and seven of this local law shall take effect on the same date and in the same manner as local law number 53 for the year 2014; and

c. Any reference to chapter 9 of title 20 of the administrative code of the city of New York set forth in sections one and three of this local law shall take effect on the same date on the same date and in the same manner as local law number 53 for the year 2014.

I. DANEEK MILLER, *Chairperson*; ELIZABETH S. CROWLEY, DANIEL DROMM, COSTA G. CONSTANTINIDES, ROBERT E. CORNEGY, Jr.; Committee on Civil Service and Labor, November 10, 2015.

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

Report of the Committee on Housing and Buildings

Report for Int. No. 783-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 the interest rate applied to unpaid charges for emergency repairs performed by the department of housing preservation and development.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on April 28, 2015 (Minutes, page 1551), respectfully

REPORTS:

Introduction

On October 30, 2015, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, will hold a hearing to consider Proposed Int. No. 783-A.

The Committee previously considered Int. No. 783 on September 16, 2015 and received testimony from representatives of the Department of Housing Preservation and Development (HPD).

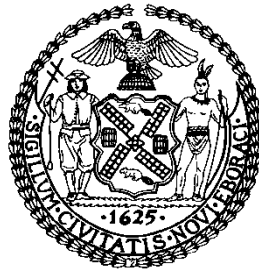
Proposed Int. No. 783-A

Proposed Int. No. 783-A would change the rate of interest applied to unpaid charges owed by landlords to the City for emergency repair work conducted by HPD. Currently, the rate of interest is set at 7%. This bill would change the rate of interest to the higher of 7% or the rate adopted by the Council in each fiscal year for the nonpayment of real property taxes.

Section one of Proposed Int. No. 783-A would amend section 27-2144 of the administrative code to change the rate of interest applied to unpaid charges owed by landlords to the City for emergency repair work to the higher of seven percent per annum or the rate adopted by the Council each fiscal year.

Section two of Proposed Int. No. 783-A contains the enactment clause and provides that the local law take effect July 1, 2016.

(The following is the text of the Fiscal Impact Statement for Int. No. 783-A:)



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

PROPOSED INTRO. NO: 783-A

**COMMITTEE: Housing and
Buildings**

TITLE: A Local Law to amend the administrative code of the City of New York, in relation to the interest rate applied to unpaid charges for emergency repairs performed by the Department of Housing Preservation and Development.

SPONSOR(S): Council Members Williams, Wills and Rosenthal

SUMMARY OF LEGISLATION: This legislation would change the rate of interest applied by the Department of Finance to unpaid charges owed by landlords to the City for emergency repair work conducted by the Department of Housing Preservation and Development (HPD). Currently, the rate of interest is set at 7%. The legislation would change the rate of interest to the higher of 7% or the interest rate the Council adopts in each fiscal year for the nonpayment of real property taxes. In Fiscal Year 2016, the interest rate adopted by the Council for the nonpayment of property taxes is 9% for properties assessed up to \$250,000 and to 18% for properties which are assessed at over \$250,000.

EFFECTIVE DATE: This local law would take effect July 1, 2016.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY17
Revenues	\$308,527	\$308,527	\$308,527
Expenditures	\$0	\$0	\$0
Net	\$308,527	\$308,527	\$308,527

IMPACT ON REVENUES: To the extent that the Council continues to adopt an interest rate for the nonpayment of property taxes that is higher than 7%, it is estimated that there will be a small impact on revenues resulting from the enactment of this legislation. Assuming collection rates of unpaid charges for emergency repairs remain the same, HPD estimates an overall increase in revenue to the City of \$308,527 per year resulting from the increased interest applied to the unpaid charges.

IMPACT ON EXPENDITURES: It is estimated that there will be no impact on expenditures as a result of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Department of Housing
Preservation and Development
New York City Council, Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Senior Legislative
Financial Analyst
Maria Enache, Legislative Financial
Analyst

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

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Raymond Majewski, Deputy
Director/Chief Economist, City Council
Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 28, 2014 as Intro. No. 783 and was referred to the Committee on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on September 16, 2015 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 783-A, will be considered by the Committee on October 28, 2015. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on October 29, 2015.

DATE PREPARED: October 26, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 783-A:)

Int. No. 783-A

By Council Members Williams, Wills, Rosenthal, Kallos and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to the interest rate applied to unpaid charges for emergency repairs performed by the department of housing preservation and development.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 27-2144 of the administrative code of the city of New York, as amended by local law number 19 for the year 2009, is amended to read as follows:

d. If such charge is not paid by the date when such charge is due and payable in accordance with subdivision c of this section, it shall be the duty of the department of finance to receive interest thereon [at the rate of seven percent per annum], to be calculated to the date of payment from the due and payable date. *The rate of interest applied to such unpaid charge shall be the higher of seven percent per annum, or the rate applicable to such premises for nonpayment of taxes on real property pursuant to subdivision (e) of section 11-224.1.*

§ 2. This local law takes effect July 1, 2016.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES; Committee on Housing and Buildings, October 30, 2015. *Others attending: The Public Advocate (Ms. James).*

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 L.U. No. 290

Report of the Committee on Land Use in favor of approving Application No. 20165169 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for an Urban Development Action Area Project and a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law, for property located at 825 Bedford Avenue (Block 1734, Lot 58), Borough of Brooklyn, Community Board 3, Council District 33.

The Committee on Land Use to which the annexed Land Use item was referred on October 15, 2015 (Minutes, page 3725), and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 03

20165169 HAK

Application submitted by the New York City Department of Housing Preservation and Development (HPD) for the approval under Article 16 of the General Municipal Law of an Urban Development Action Area project; waiver of area designation requirement and Sections 197-c and 197-d of the New York City Charter; and for the grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 825 Bedford Avenue (Block 1734, Lot 58); Borough of Brooklyn.

INTENT

To approve an Urban Development Action Area Project and tax exemption for a disposition area that contains one multiple dwelling that will provide four rental dwelling units of affordable housing.

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PUBLIC HEARING

DATE: November 9, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 9, 2015

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: Cohen (Chair), Rodriguez, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 9, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Garodnick, Rodriguez, Koo, Lander, Levin, Williams, Wills, Richards, Barron, Cohen, Kallos, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 905

Resolution approving an Urban Development Action Area Project located at 825 Bedford Avenue (Block 1734, Lot 58), Borough of Brooklyn; waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of New York General Municipal Law; and granting a tax exemption pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 290; 20165169 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 6, 2015 its request dated September 14, 2015 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 825 Bedford Avenue (Block 1734, Lot 58), Community District 3, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, and consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on November 9, 2015;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is

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consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the terms and conditions of the Project Summary that HPD submitted to the Council on October 6, 2015, a copy of which is attached hereto.

The Council approves an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law as follows:

- a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area ("Effective Date") and terminating upon 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 between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date").
- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD, or (v) all or any portion of the Disposition Area has been conveyed without the prior written approval of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition

Area 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 herein, the Exemption shall prospectively terminate.

- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.
- d. The Exemption shall apply only to buildings in the Disposition Area that exist on the Effective Date.

ATTACHMENT:

PROJECT SUMMARY

- | | | | | |
|--|---|--------------------------------------|------------------|--------------------------------------|
| 1. PROGRAM: | MULTIFAMILY PRESERVATION LOAN PROGRAM | | | |
| 2. PROJECT: | FSG Cluster/CD 33 | | | |
| 3. LOCATION: | | | | |
| a. BOROUGH: | Brooklyn | | | |
| b. COMMUNITY DISTRICT: | 3 | | | |
| c. COUNCIL DISTRICT: | 33 | | | |
| d. DISPOSITION AREA: | <table border="0" style="display: inline-table; vertical-align: top;"> <tr> <td style="text-align: center;"><u>BLOCK</u>
1734</td> <td style="text-align: center;"><u>LOT</u>
58</td> <td style="text-align: center;"><u>ADDRESS</u>
825 Bedford Avenue</td> </tr> </table> | <u>BLOCK</u>
1734 | <u>LOT</u>
58 | <u>ADDRESS</u>
825 Bedford Avenue |
| <u>BLOCK</u>
1734 | <u>LOT</u>
58 | <u>ADDRESS</u>
825 Bedford Avenue | | |
| 4. BASIS OF DISPOSITION PRICE: | Nominal (\$1.00 per building). | | | |
| 5. TYPE OF PROJECT: | Rehabilitation | | | |
| 6. APPROXIMATE NUMBER OF BUILDINGS: | 1 Multiple Dwelling | | | |
| 7. APPROXIMATE NUMBER OF UNITS: | 4 Dwelling Units | | | |
| 8. HOUSING TYPE: | Rental | | | |
| 9. ESTIMATE OF INITIAL RENTS: | Initial rents will be established in compliance with federal regulations, where applicable, and will be affordable to the targeted income groups. All units will be subject to rent stabilization. Eligible tenants may apply for rent subsidies. | | | |
| 10. INCOME TARGETS: | The Disposition Area contains one occupied building which will be sold subject to existing tenancies. All units will be rented to families with annual household incomes between 50% and 80% of the area median income. | | | |
| 11. PROPOSED FACILITIES: | None | | | |
| 12. PROPOSED CODES/ORDINANCES: | None | | | |
| 13. ENVIRONMENTAL STATUS: | Type II | | | |
| 14. PROPOSED TIME SCHEDULE: | Approximately 24 months from closing | | | |

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DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, MARK TREYGER; Committee on Land Use, November 9, 2015.

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

Report for L.U. No. 291

Report of the Committee on Land Use in favor of approving Application No. 20165170 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for an Urban Development Action Area Project and a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law, for property located at 165 Park Avenue (Block 2031, Lot 57), 368 Lafayette Avenue (Block 1948, Lot 28), 802 Washington Avenue (Block 1173, Lot 53), and 840 Washington Avenue (Block 1176, Lot 98), Borough of Brooklyn, Community Boards 2 and 8, Council District 35.

The Committee on Land Use to which the annexed Land Use item was referred on October 15, 2015 (Minutes, page 3726), and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CBs - 02 and 08

20165170 HAK

Application submitted by the New York City Department of Housing Preservation and Development (HPD) for the approval under Article 16 of the General Municipal Law of an Urban Development Action Area project; waiver of area designation requirement and Sections 197-c and 197-d of the New York City Charter; and for the grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 165 Park Avenue (Block 2031, Lot 57), 368 Lafayette Avenue (Block 1948, Lot 28), 802 Washington Avenue (Block 1173, Lot 53), and 840 Washington Avenue (Block 1176, Lot 98); Borough of Brooklyn.

INTENT

To approve an Urban Development Action Area Project and tax exemption for a disposition area that contains four multiple dwellings which after rehabilitation will provide approximately forty-two (42) rental dwelling units plus two (2) commercial units.

PUBLIC HEARING

DATE: November 9, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 9, 2015

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: Cohen (Chair), Rodriguez, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 9, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Garodnick, Rodriguez, Koo, Lander, Levin, Williams, Wills, Richards, Barron, Cohen, Kallos, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 906

Resolution approving an Urban Development Action Area Project located at 165 Park Avenue (Block 2031, Lot 57), 368 Lafayette Avenue (Block 1948,

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Lot 28), 802 Washington Avenue (Block 1173, Lot 53), and 840 Washington Avenue (Block 1176, Lot 98), Borough of Brooklyn; waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of New York General Municipal Law; and granting a tax exemption pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 291; 20165170 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 6, 2015 its request dated September 14, 2015 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 165 Park Avenue (Block 2031, Lot 57), 368 Lafayette Avenue (Block 1948, Lot 28), 802 Washington Avenue (Block 1173, Lot 53), and 840 Washington Avenue (Block 1176, Lot 98), Community Districts 2 and 8, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, and consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on November 9, 2015;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the terms and conditions of the Project Summary that HPD submitted to the Council on October 6, 2015, a copy of which is attached hereto.

The Council approves an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law as follows:

- a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area (“Effective Date”) and terminating upon 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 between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company (“Expiration Date”).

- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition 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, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area 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 herein, the Exemption shall prospectively terminate.
- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.
- d. The Exemption shall apply only to buildings in the Disposition Area that exist on the Effective Date.

ATTACHMENT:**PROJECT SUMMARY**

1. **PROGRAM:** MULTIFAMILY PRESERVATION LOAN PROGRAM
2. **PROJECT:** FSG Cluster/CD 35
3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 2 and 8
 - c. **COUNCIL DISTRICT:** 35
 - d. **DISPOSITION AREA:**

<u>BLOCKS</u>	<u>LOTS</u>	<u>ADDRESSES</u>
2031	57	165 Park Avenue
1948	28	368 Lafayette Avenue
1173	53	802 Washington Avenue
1176	98	840 Washington Avenue
4. **BASIS OF DISPOSITION PRICE:** Nominal (\$1.00 per building).
5. **TYPE OF PROJECT:** Rehabilitation
6. **APPROXIMATE NUMBER OF BUILDINGS:** 4 Multiple Dwellings
7. **APPROXIMATE NUMBER OF UNITS:** 42 Dwelling Units
8. **HOUSING TYPE:** Rental
9. **ESTIMATE OF INITIAL RENTS:**

Initial rents will be established in compliance with federal regulations, where applicable, and will be affordable to the targeted income groups. All units will be subject to rent stabilization. Eligible tenants may apply for rent subsidies.
10. **INCOME TARGETS:**

The Disposition Area contains three occupied buildings which will be sold subject to existing tenancies, and one vacant building. All units will be rented to families with annual household incomes between 50% and 80% of the area median income.
11. **PROPOSED FACILITIES:** 2 Commercial Units
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Type II, Negative Declaration
14. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, MARK TREYGER; Committee on Land Use, November 9, 2015.

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

Report for L.U. No. 292

Report of the Committee on Land Use in favor of approving Application No. 20165171 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for an Urban Development Action Area Project and a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law, for properties located at 72 Lott Street (Block 5127, Lot 15), 74 Lott Street (Block 5127, Lot 16), and 83 East 18th Street (Block 5099, Lot 37), Borough of Brooklyn, Community Boards 14 and 17, Council District 40.

The Committee on Land Use to which the annexed Land Use item was referred on October 15, 2015 (Minutes, page 3726), and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CBs - 14 and 17

20165171 HAK

Application submitted by the New York City Department of Housing Preservation and Development (HPD) for the approval under Article 16 of the General Municipal Law of an Urban Development Action Area project; waiver of area designation requirement and Sections 197-c and 197-d of the New York City Charter; and for the grant of a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law for property located at 72 Lott Street (Block 5127, Lot 15), 74 Lott Street (Block 5127, Lot 16), and 83 East 18th Street (Block 5099, Lot 37); Borough of Brooklyn.

INTENT

To approve an Urban Development Action Area Project and tax exemption for a disposition area that contains three multiple dwellings which after rehabilitation will provide approximately fifteen (15) rental dwelling units plus one (1) commercial unit.

PUBLIC HEARING

DATE: November 9, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: November 9, 2015

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: Cohen (Chair), Rodriguez, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: November 9, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Garodnick, Rodriguez, Koo, Lander, Levin, Williams, Wills, Richards, Barron, Cohen, Kallos, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 907

Resolution approving an Urban Development Action Area Project located at 72 Lott Street (Block 5127, Lot 15), 74 Lott Street (Block 5127, Lot 16), and 83 East 18th Street (Block 5099, Lot 37), Borough of Brooklyn; waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of New York General Municipal Law; and granting a tax exemption pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 292; 20165171 HAK).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 6, 2015 its request dated September 14, 2015 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 72 Lott Street (Block 5127, Lot 15), 74 Lott Street (Block 5127, Lot 16), and 83 East 18th Street (Block 5099, Lot 37), Community Districts 14 and 17, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to said Section;
3. Waive the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption").

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, and consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the

construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on November 9, 2015;

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the terms and conditions of the Project Summary that HPD submitted to the Council on October 6, 2015, a copy of which is attached hereto.

The Council approves an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law as follows:

- a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area (“Effective Date”) and terminating upon 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 between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a

housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date").

- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition 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, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area 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 herein, the Exemption shall prospectively terminate.
- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.
- d. The Exemption shall apply only to buildings in the Disposition Area that exist on the Effective Date.

ATTACHMENT:**PROJECT SUMMARY**

1. **PROGRAM:** MULTIFAMILY PRESERVATION LOAN PROGRAM
2. **PROJECT:** FSG Cluster/CD 40
3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 14 and 17
 - c. **COUNCIL DISTRICT:** 40
 - d. **DISPOSITION AREA:**

<u>BLOCKS</u>	<u>LOTS</u>	<u>ADDRESSES</u>
5127	15	72 Lott Street
5127	16	74 Lott Street
5099	37	83 East 18 th Street
4. **BASIS OF DISPOSITION PRICE:** Nominal (\$1.00 per building).
5. **TYPE OF PROJECT:** Rehabilitation
6. **APPROXIMATE NUMBER OF BUILDINGS:** 3 Multiple Dwellings
7. **APPROXIMATE NUMBER OF UNITS:** 15 Dwelling Units
8. **HOUSING TYPE:** Rental
9. **ESTIMATE OF INITIAL RENTS:**

Initial rents will be established in compliance with federal regulations, where applicable, and will be affordable to the targeted income groups. All units will be subject to rent stabilization. Eligible tenants may apply for rent subsidies.
10. **INCOME TARGETS:**

The Disposition Area contains one occupied building which will be sold subject to existing tenancies and two vacant buildings. All units will be rented to families with annual household incomes between 50% and 80% of the area median income.
11. **PROPOSED FACILITIES:** 1 Commercial Unit
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Type II
14. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, MARIA del CARMEN ARROYO, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, MARK TREYGER; Committee on Land Use, November 9, 2015.

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

Report of the Committee on Veterans

Report for Int. No. 314-A

Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of veterans' services, and repealing section 14 of the New York city charter and subchapter 3 of chapter one of title 3 of the administrative code of the city of New York, relating to the office of veterans affairs.

The Committee on Veterans, to which the annexed amended proposed local law was referred on April 29, 2014 (Minutes, page 1398), respectfully

REPORTS:

INTRODUCTION

On November 9, 2015, the Committee on Veterans, chaired by Council Member Eric Ulrich, will hold a second hearing on Proposed Int. No. 314-A, sponsored by Council Member Ulrich, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of veterans' services, and repealing section 14 of the New York city charter and subchapter 3 of chapter one of title 3 of the administrative code of the city of New York, relating to the office of veterans affairs. The bill was originally heard by the Committee on September 29, 2014. Those testifying at this first hearing included the Mayor's Office of Veterans Affairs (MOVA), veterans' advocates, and service providers. Following this hearing, the bill was amended to rename the proposed department the "Department of Veterans' Services," to authorize the Commissioner of the Department of Veterans' Services to appoint deputies within available appropriations, to expand the definition of "veterans" to include those furloughed to the reserve, to incorporate new provisions related to the Veterans Advisory Board added by Local Laws 24 and 25 of 2015, and to make minor technical changes.

BACKGROUND

New York City's Veteran Population

According to the United States Department of Veterans Affairs (VA), there are over 200,000 veterans¹ and 13,000 Active Duty and Reservist service members² living in New York City's five boroughs. New York City's veteran population is diverse, with 52 percent identifying as White (Non-Hispanic), 27 percent as Black/African American, 18 percent as Hispanic/Latino, 3 percent as Asian, and 7 percent as other than those ethnicities specified.³ This population is older, with 83 percent of veterans over the age of 45.⁴ Furthermore, New York City's veterans are highly educated, with 58 percent either having obtained a college degree or having completed some college courses.⁵ The city's veteran population is also active in the business community. There are 15,400 veteran business owners in the city, and veterans own 17 percent of the businesses in the professional services industry, 16 percent of the businesses in construction services industry, and 10 percent of the businesses in the maintenance and repair sector.⁶

Although the overall veteran population is projected to decrease as veterans of World War II, the Korean War, and the Vietnam War age,⁷ many of those who served in Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom will separate from the military in the coming years. Veterans from post-9/11 conflicts, along with their counterparts from prior conflicts and peace-time service, are eligible for a number of benefits and services provided by the federal government, New York State, New York City, and various service providers. However, many veterans are not aware of the range of supports they may be entitled to, and even those seeking out benefits can find navigation of applications, paperwork requirements, and eligibility determinations challenging.

Veterans' Services in New York City

New York City has a strong history of providing comprehensive services to veterans. In 1944, the City established the Division of Veterans Affairs as a "one-stop clearing house" to assist veterans and address all the problems and concerns of a particular veteran in one office.⁸ This agency was praised by *Life* magazine as "one of the least bureaucratic of agencies."⁹ Some of the services provided by the agency included free medical checks (which were required for many jobs) on the spot in the Division's offices, and legal assistance with landlord-tenant and financial issues.¹⁰ The Division "cut[s] down on waiting time and the number of middlemen involved in the job market" by writing to thousands of employers and assisting service members and veterans with resume preparation.¹¹ Early in his first term, Mayor John Lindsay attempted to abolish the Division; however, the Council blocked this dissolution.¹²

Mayor Lindsay created the Mayor's Office for Veteran Action in April 1972 to provide assistance to returning Vietnam veterans, and issued an executive order in August 1973 which merged the Division of Veterans Affairs and the Mayor's Office

for Veteran Action.¹³ According to John Rowan, National President and CEO of Vietnam Veterans of America and member of the city's Veterans Advisory Board, Mayor Lindsay's veterans' office "became a very substantial one-stop shopping center in Downtown Brooklyn and they brought in people from all the different agencies at the time."¹⁴ Additionally, each of the boroughs had a veterans' office.¹⁵ However, according to Mr. Rowan, the more robust veterans' office "died in the fiscal crisis during the Beame and later Koch Administrations."¹⁶

The Mayor's Office of Veterans' Affairs (MOVA) was established by Local Law 53 of 1987.¹⁷ The legislation, as originally introduced by the Council in April 1987, would have established a Department of Veterans' Affairs headed by a Commissioner appointed by the Mayor with the advice and consent of the Council.¹⁸ The bill's legislative history indicated the need "to establish a local coordinated effort to respond to and deliver services to those individuals who have served our country and now find they are in need of some type of service."¹⁹ It also highlighted that a local effort was needed, despite the existence of the New York State Division of Veterans Affairs, because the resources provided by the state were insufficient to meet the needs of the total veteran population in the city.²⁰ Around the same time, in June 1987, Mayor Edward Koch announced that he would create a city Office of Veterans Affairs by executive order, which would "be responsible for coordinating and monitoring interagency initiatives, grant applications, and services and programs for veterans."²¹ Ultimately, the Council passed, and Mayor Koch signed into law, an amended version of the bill in August 1987, which established the Office of Veterans Affairs within the Executive Office of the Mayor.²²

MOVA serves as the City's chief military liaison to veterans, veterans' organizations, and other entities that serve the City's veteran population.²³ Under the Charter, MOVA is tasked with assisting members of United States military, veterans, and their families with issues such as educational training and retraining services; health, medical and rehabilitation services; advocacy to passage of federal, state and local laws and regulations that would grant special rights and privileges to veterans and their families; and employment and re-employment services.²⁴ As part of these functions, MOVA also works alongside a number of veteran's service organizations, such as the American Legion, the Vietnam Veterans of America, the Marine Corps League, and Jewish War Veterans, among others. For MOVA's purposes, a veteran is defined as "a person who has served in the active military service of the United States and who has been released from such service otherwise than by dishonorable discharge."²⁵ MOVA is also directed to utilize the services and facilities of State and local agencies whenever possible.²⁶

MOVA's establishment is authorized under New York State law, which allows for a local veterans' service agency in each city.²⁷ Such agencies are permitted to inform New York resident veterans about educational training, health services, laws and regulations affording special rights to veterans, employment services, and other related matters.²⁸ As noted above, MOVA's powers under the Charter mirror the language in State law. Though State law provides that the powers of local veterans' service agencies are to be exercised "under the direction of the State veterans' service agency," there is no indication that MOVA's activities have ever been limited by the State.²⁹

Currently, the Commissioner of MOVA is U.S. Army Brigadier General (Ret.) Loree Sutton, who was appointed by Mayor Bill de Blasio in September 2014. The Commissioner is advised by the Veterans Advisory Board (VAB), which is made up of eleven members (six appointed by the Mayor and five appointed by the Speaker of the Council), all of whom must be veterans.³⁰ This year, the Council enacted reforms to the VAB which placed further obligations on MOVA, including the responsibility to ensure that notice of any public meeting of the VAB is posted on the MOVA website at least one week prior to each meeting, to maintain and periodically update contact information of veterans organizations located within the city, to notify such organizations by regular or electronic mail about upcoming VAB meetings,³¹ and to make available on its website email addresses created by VAB members.³²

Advocates have expressed a number of concerns about MOVA's limited budget and operational scope. At the Committee's June 2014 oversight hearing of the office, it was argued that MOVA's small budget and staff precluded the Office from carrying out any large initiatives without firm commitments from outside partners³³ and made it difficult for the MOVA Commissioner to plan for future issues that might need to be addressed in the community.³⁴ MOVA's then-Commissioner Terrence Holliday acknowledged that nearly the entire MOVA budget was appropriated for staff salaries and that there was "virtually nothing" in the Office's budget for services.³⁵ Aside from insufficient funding, witnesses at the Committee's June 2014 hearing testified that MOVA's role is often seen as symbolic,³⁶ that its mandate is overbroad and lacks clarity,³⁷ that the Office had failed to articulate concrete priorities and goals,³⁸ that its voice is frequently absent within many leading veterans' coalitions,³⁹ and that it is involved primarily with Manhattan-based veterans service organizations to the exclusion of those in the outer-boroughs.⁴⁰ Commissioner Holliday himself testified that MOVA's database included approximately only 1,200 individuals identified as veterans in New York City. Advocates called on MOVA to increase communication and coordination with the veterans' community,⁴¹ to provide greater training for staff,⁴² and to incorporate job training and business development resources into its services.⁴³

Similar criticisms of MOVA,⁴⁴ and of veterans' services broadly in the City, were offered at the Committee's first hearing on Int. No. 314 in September 2014. Advocates pointed to the critical need for services in areas such as behavioral health, housing, and discharge updates,⁴⁵ the lack of focus and collaboration in the administration of veterans' services,⁴⁶ overworked and undertrained veteran supportive housing caseworkers,⁴⁷ and the poor quality of veteran supportive housing facilities.⁴⁸ One witness cited the delay in receiving contracted services due to the administration of veterans funding through departments such as the Department of Youth and Community Development that do not necessarily have expertise in veterans' issues.⁴⁹

In the current Fiscal Year 2016, MOVA's operating budget includes approximately \$263,000 in City funding and \$318,000 in State funding, to support five full-time staff, in addition to the Commissioner.⁵⁰ The Council also negotiated with the Administration for an additional appropriation of \$335,000 in FY 2016 for a Veterans Outreach Program, in which six Veterans Service Officers (to be placed within the Human Resources Administration) will serve veterans across the city's five boroughs.⁵¹ The Council's Veterans Services Initiative provided \$940,000 for

veterans' services in areas such as homelessness prevention, job placement, legal services, mental health services, education, and community development.⁵² Contracts for these programs are administered by five different agencies: the Department of Homeless Services, the Department of Small Business Services, the Human Resources Administration, the Department of Health and Mental Hygiene, and the Department of Youth and Community Development.⁵³ MOVA funding has remained relatively consistent in recent years. In Fiscal Years 2012, 2013, 2014, and 2015, the Office's budget was, respectively, \$499,728, \$502,832, \$517,178, and \$574,112.

Features of City Departments

Establishing a New York City Department of Veterans' Services would provide for increased Council oversight and direct allocation of funding supporting veterans. Currently, Council funding for organizations serving veterans is disbursed through City agencies, such as the Department of Youth and Community Development, as MOVA is merely a Mayoral office and does not employ an Agency Chief Contracting Officer (ACCO). Under rules established by the City's Procurement Policy Board, the entity charged with creating and enforcing procedures governing the City's procurement of goods and services, an ACCO must certify any contract administered by the City.⁵⁴ The establishment of a Department of Veterans' Services could enable the Department to employ an ACCO and directly administer contracts for veterans' services.

The establishment of a City agency serving veterans would also allow the Council to better monitor the City's veterans' services through preliminary and executive budget hearings with the Department. A Department of Veterans' Services would also be required to submit Departmental estimates and other information for the executive budget annually.⁵⁵

ANALYSIS

Section one of Proposed Int. No. 314-A would repeal Section 14 of chapter one of the New York City Charter (Charter), which establishes the Mayor's Office of Veterans' Affairs (MOVA).

Section two of Proposed Int. No. 314-A would amend the Charter to add a new chapter 75. New section 3100 of new chapter 75 would establish a Department of Veterans' Services (the "Department") and provide that the head of the Department would be the Commissioner of Veterans' Services (the "Commissioner"). It would further authorize the Commissioner to appoint deputies within available appropriations.

New section 3101 would define the term "veteran" as a person who has served in the active military service of the United States (U.S.) and who has been released from such service other than by dishonorable discharge, or who has been furloughed to the reserve.

New section 3102 of would establish the powers and duties of the Commissioner. Subdivision a would state that the Commissioner would have such

powers as provided by the director of the state veterans' service agency, and have the duty to inform military and naval authorities of the U.S. and assist members of the armed forces and veterans who are residents of New York City, and their families, in relation to: 1) matters relating to educational training and retraining services and facilities; 2) health, medical, and rehabilitation services and facilities; 3) provisions of federal state, and local laws and regulations affording special rights and privileges to members of the armed forces and veterans, and their families; 4) employment and re-employment services; and 5) any related and appropriate matters. The Commissioner would be further required to assist families of members of the reserve components of the armed forces and the organized militia ordered into active duty to ensure that they are aware of, and receiving, all appropriate support available to them. The new Department would also be required to perform other duties that may be assigned by the state director of the Division of Veterans' Affairs.

Subdivision b of new section 3102 would require the Commissioner to utilize the services, commissions, boards, bureaus, institutions, and other agencies of state and local governments, and would require all such officers and agencies to cooperate with and extend such services and facilities to the Department as it may require.

New section 3103 would establish a Veterans Advisory Board (VAB), to consist of eleven members (six appointed by the mayor and five appointed by the Council Speaker), all of whom would be veterans. Among the eleven appointees, there would be at least one representative from each of the five boroughs. The Mayor and the Speaker would be required to consider service in conflicts involving members of the U.S. armed forces when making their appointments. The term of appointment would be three years, and members could be removed by the appointing official for cause. Members of the VAB would elect by majority vote one member to serve as chairperson and one member to serve as vice-chairperson, each for one-year terms. In the event of a vacancy on the VAB during the term of office of a member (due to removal, death, resignation, or otherwise), a successor would be chosen in the same manner as the original appointment, and a member appointed to fill a vacancy will serve for the balance of the unexpired term. The VAB's functions are to: 1) advise the commissioner on all matters concerning veterans; 2) hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of Article 7 of the state Public Officers Law, except with respect to those requirements provided for in Section 31-105 of the Administrative Code (the "Code"); 3) keep a record of its deliberations; 4) determine its own rules of procedure; and 5) submit an annual report of its activities to the mayor and the council on or before December 31 of each year, which should include policy and legislative recommendations for the Department and the Council.

Section three of Int. No. 314 would repeal subchapter 3 of chapter one of title 3 of the Code, which governs MOVA.

Section four of Int. No. 314 would amend the Code to add a new Title 31, which would include new sections 31-101, 31-102, 31-103, 31-104, and 31-105. New section 31-101 of new title 31 would provide that "Commissioner" means "Commissioner of Veterans' Services" and "Department" means "Department of Veterans' Services."

New section 31-102 concerns employment resources. New subdivision a would define “federal veterans job bank” as “the job bank developed by the federal government for veterans or any subsequent online tool that the federal government utilizes to connect veterans with employment opportunities” and define “City job” as employment with the government of New York City.

New subdivision b would require the Department to post on its website information concerning resources intended to assist veterans in obtaining employment, including, but not limited to: 1) a link to the federal veterans job bank; 2) links to websites describing veteran employment services provided by the federal government and New York State; and 3) any additional resources deemed relevant by the Department.

New subdivision c would require the department to consult with the Department of Citywide Administrative Services and other appropriate city agencies to identify city job postings for inclusion in the federal veterans job bank, ensure that these jobs are included in the jobs bank, and maintain and update them accurately.

New subdivision d would require the Department to consult with the Department of Small Business Services to identify job postings that are received or maintained by the department for inclusion in the federal veterans job bank, ensure that these jobs are included in the jobs bank, and maintain and update them accurately.

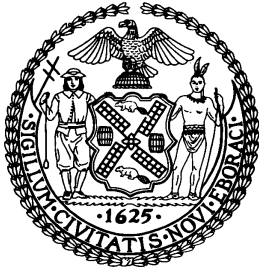
New section 31-103 would provide for veteran liaisons at each City agency. The provision would require that the head of each City agency designate an employee to act as liaison with veterans within that agency, and to notify the Department of the name and contact information of the liaison. The liaison would be required to advise veterans within the agency of benefits and services available to veterans within the agency and employee personnel policies applicable to veterans at the agency. The Department could also require the head of each city agency to make the liaison available to confer with and receive periodic training from the Department. The Department would be required to post on its website the names of persons designated to act as agency liaisons.

New section 31-104 would require each member of the VAB to create an electronic mail address upon appointment to the VAB. Such electronic mail address would be dedicated exclusively to the business of the VAB. Additionally, the Department would be required to make the electronic mail addresses available to the public on its website no later than thirty days after the commencement of the member’s term of appointment. New section 31-104 further would require that such electronic mail address not be comingled with any other personal or professional electronic mail address held or maintained by any VAB member, and would allow the Department to establish guidelines for uniformity in the formatting of the electronic mail addresses created pursuant to this section.

New section 31-105 would require the Department to post a notice of the date, time, and location of each public meeting of the VAB at least one week prior to each meeting. The bill would also require that the Department maintain and periodically update contact information of veterans organizations located within the city, and notify all such organizations by regular or electronic mail of the date, time, and location of each public meeting of the Board at least one week prior to each meeting.

Section five of Proposed Int. No. 314-A would provide that the law take effect one-hundred and twenty days following its enactment into law.

(The following is the text of the Fiscal Impact Statement for Int. No. 314-A:)



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

**LATONIA MCKINNEY,
DIRECTOR**

FISCAL IMPACT STATEMENT

**PROPOSED INTRO. NO: 314-A
COMMITTEE: Veterans**

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of veterans' services, and repealing section 14 of the New York city charter and subchapter 3 of chapter one of title 3 of the administrative code of the city of New York, relating to the office of veterans affairs

SPONSOR(S): By Council Members Ulrich, Vallone, Rosenthal, Rodriguez, Cohen, Richards, Deutsch, Maisel, Gentile, Koslowitz, Koo, Constantinides, Van Bramer, Espinal, Johnson, Menchaca, Levin, Lancman, Cabrera, Wills, Greenfield, Crowley, Treyger, Dickens, Cornegy, Eugene, Palma, Gibson, Mealy, Miller, Ferreras-Copeland, Kallos, King, Rose, Torres, Arroyo, Levine, Chin, Cumbo, Williams, Lander, Mendez, Reynoso, Matteo and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION Currently, the New York City Charter establishes an Office of Veterans' Affairs within the Mayor's office. This bill would replace that office and establish a separate Department of Veterans' Services (the "Department"), headed by a Commissioner of Veterans' Services. The bill would provide the Department with the responsibility to cooperate with federal, state, and local agencies and to inform and assist members of the armed forces and veterans, and their families, in matters relating to: educational training and retraining services and facilities; health, medical, and rehabilitation services and facilities; provisions of federal, state, and local laws and regulations giving special rights and privileges to members of the armed forces, veterans, and their families; employment and re-employment services; and other appropriate matters.

The Office of Veterans Affairs is currently advised by a Veterans Advisory Board

(VAB) comprised of eleven members (six appointed by the Mayor and five appointed by the Speaker), all of whom must be veterans. This bill retains the VAB and requires it to advise the Commissioner of Veterans' Services on all matters concerning veterans. The legislation would also maintain the requirements that the VAB holds at least one public meeting in each borough per year, provides public notice in accordance with state and local law, keeps records of meetings, determines its own rules of procedure, and submits an annual report of their activities to the Mayor and the Council on or before December 31 of each year.

Additionally, this bill would require the Department to publish information on its website concerning resources intended to assist veterans in obtaining employment, and to consult with city agencies to identify job postings for inclusion on the Federal veterans' job bank. The bill would continue the requirement that each City agency designate an employee to act as a liaison with veterans within the agency, and the Department to provide periodic training to the veterans' liaisons, as well as to post on its website the names of the liaisons at each city agency. Finally, the bill would incorporate the requirements of Local Laws 24 and 25 of 2015 that members of the VAB create publicly available email addresses and that the Department provide advance notice of VAB meetings on its website and by mail to veterans' organizations.

EFFECTIVE DATE: This local law would take effect 120 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY 16	FY Succeeding Effective FY 17	Full Fiscal Impact FY 17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$335,000	\$335,000
Net	\$0	\$335,000	\$335,000

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

IMPACT ON EXPENDITURES: The City's Financial Plan currently allocates annual funding of approximately \$300,000 for the Mayor's Office of Veterans Affairs (MOVA) and provides for three full-time positions including a Commissioner. Because MOVA already performs many of the requirements that

this bill would impose on the new Department of Veterans Affairs, it is anticipated that this funding would be reallocated to the newly created agency. Additionally, the Financial Plan includes \$335,000 for Veteran Services Officers (VSOs) for Fiscal 2016 only. The officers are responsible for linking veterans to both federal and City benefits and programs. In order to meet the requirements of this legislation, funding for VSOs would need to be renewed and included in the budget of the newly created agency.

With regard to requirements related to the Veterans Advisory Board and veterans' liaisons, the City has already established these practices as a result of prior local laws and therefore would require no additional resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

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

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

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 29, 2014 as Intro. No. 314 and referred to the Committee on Veterans. The Committee on Veterans held a hearing on Intro. No. 314 on September 29, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended version of the legislation, Proposed Intro. No. 314-A, will be considered by the Committee on Veterans on November 9, 2015. Upon successful vote of the Committee, Proposed Intro. No. 314-A will be submitted to the full Council for a vote on November 10, 2015.

DATE PREPARED: November 6, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 314-A:)

Int. No. 314-A

By Council Members Ulrich, Vallone, Rosenthal, Rodriguez, Cohen, Richards, Deutsch, Maisel, Gentile, Koslowitz, Koo, Constantinides, Van Bramer, Espinal, Johnson, Menchaca, Levin, Lancman, Cabrera, Wills, Greenfield, Crowley, Treyger, Dickens, Cornegy, Eugene, Palma, Gibson, Mealy, Miller, Ferreras-Copeland, Kallos, King, Rose, Torres, Arroyo, Levine, Chin, Cumbo, Williams, Lander, Mendez, Reynoso, Dromm, Barron, Matteo and the Public Advocate (Ms. James).

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the establishment of a department of veterans' services, and repealing section 14 of the New York city charter and subchapter 3 of chapter one of title 3 of the administrative code of the city of New York, relating to the office of veterans affairs.

Be it enacted by the Council as follows:

Section 1. Section 14 of the New York city charter is REPEALED.

§ 2. The New York city charter is amended by adding a new chapter 75 to read as follows:

Chapter 75

DEPARTMENT OF VETERANS' SERVICES

§ 3100. Department; commissioner.

§ 3101. Definition.

§ 3102. Powers and duties.

§ 3103. Veterans' advisory board.

§ 3100. Department; commissioner. There shall be a department of veterans' services, the head of which shall be the commissioner of veterans' services. The commissioner may appoint deputies within available appropriations.

§ 3101. Definition. As used in this chapter, the following term has the following meaning:

Veteran. The term "veteran" shall mean a person who has served in the active military service of the United States and who has been released from such service other than by dishonorable discharge, or who has been furloughed to the reserve.

§ 3102. Powers and duties. a. Except as otherwise provided by law, the commissioner shall have such powers as provided by the director of the state

veterans' service agency and shall have the duty to inform military and naval authorities of the United States and assist members of the armed forces and veterans, who are residents of the city, and their families, in relation to: (1) matters pertaining to educational training and retraining services and facilities, (2) health, medical and rehabilitation service and facilities, (3) provisions of federal, state and local laws and regulations affording special rights and privileges to members of the armed forces and veterans and their families, (4) employment and re-employment services, and (5) other matters of similar, related or appropriate nature. The commissioner shall also assist families of members of the reserve components of the armed forces and the organized militia ordered into active duty to ensure that they are made aware of and are receiving all appropriate support available to them. The department also shall perform such other duties as may be assigned by the state director of the division of veterans' affairs.

b. The commissioner shall utilize, so far as possible, the services, commissions, boards, bureaus, institutions and other agencies of the state and of the political subdivisions thereof and all such officers and agencies shall cooperate with and extend such services and facilities to the department as it may require.

§ 3103. Veterans' advisory board. There shall be a veterans' advisory board consisting of eleven members, all of whom shall be veterans, six of whom shall be appointed by the mayor and five of whom shall be appointed by the speaker of the council. Of these eleven appointees, there shall be one representative from each of the five boroughs of the city of New York. The mayor and the speaker shall each consider service in conflicts involving members of the United States armed forces when making such appointments. All members shall serve for a term of three years and may be removed by the appointing official for cause. Members of the advisory board shall elect by majority vote one such member to serve as chairperson and one such member to serve as vice-chairperson, each to serve in that capacity for one-year terms. In the event of a vacancy on the advisory board during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term. The advisory board shall (i) advise the commissioner on all matters concerning veterans; (ii) hold at least one meeting open to the public in each borough on an annual basis, with notice of each public meeting provided in accordance with the public notice requirements of article 7 of the public officers law except with respect to those requirements provided in section 31-105 of the administrative code, and with each public meeting recorded and broadcast in accordance with subdivision d of section 1063 of the charter; (iii) keep a record of its deliberations; (iv) determine its own rules of procedure; and (v) submit an annual report of its activities to the mayor and the council on or before December 31 of each year. Such annual report should include policy and legislative recommendations for the department of veterans' services and the council.

§ 3. Subchapter 3 of chapter one of title 3 of the administrative code of the city of New York is REPEALED.

§ 4. The administrative code of the city of New York is amended by adding a new title 31 to read as follows:

*TITLE 31
DEPARTMENT OF VETERANS' SERVICES*

§ 31-101 Definitions.

§ 31-102 Employment resources.

§ 31-103 Veteran liaisons.

§ 31-104 Veterans' advisory board electronic mail addresses.

§ 31-105 Additional notice of public meetings of the veterans' advisory board.

§ 31-101 Definitions. As used in this title, the following terms have the following meanings:

Commissioner. The term "commissioner" means the commissioner of veterans' services.

Department. The term "department" means the New York city department of veterans' services.

§ 31-102 Employment resources. a. Definitions. For the purposes of this section:

Federal veterans job bank. The term "federal veterans job bank" means the job bank developed by the federal government for veterans or any subsequent online tool that the federal government utilizes to connect veterans with employment opportunities.

City job. The term "city job" means employment with the government of the city of New York.

b. The department shall publish on its website information concerning resources intended to assist veterans in obtaining employment including, but not limited to:

1. a link to the federal veterans job bank;

2. links to websites describing veteran employment services provided by the federal government and New York state government, including, but not limited to, the websites of the United States department of labor, the New York state department of labor, the United States department of veterans affairs, and the New York state division of veterans' affairs; and

3. links to any additional resources deemed relevant by the department.

c. The department shall consult with the department of citywide administrative services and other appropriate city agencies to identify city job postings for inclusion in the federal veterans job bank and shall also ensure that such city job postings are included in such job bank and are updated as necessary to maintain accuracy.

d. The department shall consult with the department of small business services to identify job postings that are received or maintained by the department for inclusion in the federal veterans job bank and shall also ensure that such job postings are included in such job bank and are updated as necessary to maintain accuracy.

§ 31-103 Veteran liaisons. The head of each city agency shall designate an employee to act as liaison with veterans within such agency and shall notify the department of the name and contact information of such liaison. Such liaison shall advise veterans within such agency of benefits and services available to veterans at

such agency and employee personnel policies applicable to veterans at such agency. At the request of the department, the head of each city agency shall make such liaison available to confer with and receive periodic training from the department. The department shall post on its website the names of persons designated to act as such liaison within each agency.

§ 31-104 Veterans' advisory board electronic mail addresses. Upon appointment to the board, every member of the veterans' advisory board, as constituted pursuant to section 3103 of the charter, shall create an electronic mail address dedicated exclusively to the conduct of the business of the board. The department shall make such electronic mail address available to the public on the department's website no later than thirty days after the commencement of the member's term of appointment. Such electronic mail address may not be commingled with any other personal or professional electronic mail addresses held or maintained by the members of the board. The department may establish guidelines to promote uniformity in the formatting of any electronic mail address created pursuant to this section.

§ 31-105 Additional notice of public meetings of the veterans' advisory board. The department shall ensure that notice of any public meeting of the veterans' advisory board held pursuant to section 3103 of the charter is posted on the department's website with the date, time and location of each public meeting, and that such notice is posted not less than one week prior to each public meeting. The department shall also maintain and periodically update the contact information of veterans organizations located within the city and shall notify such organizations by regular or electronic mail of the date, time and location of each public meeting of the veterans' advisory board not less than one week prior to each public meeting.

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

ERIC A. ULRICH, *Chairperson*; ANDREW COHEN, ALAN N. MAISEL, PAUL A. VALLONE; Committee on Veterans; November 9, 2015.

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

GENERAL ORDER CALENDAR**Resolution approving various persons Commissioners of Deeds****By the Presiding Officer –**

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

Approved New Applicant's Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Lilibeth Ruben Castillo	1 Bogardus Place #1K New York, N.Y. 10040	10
Natasha O. Daniels	2130 Crotona Avenue #4K Bronx, N.Y. 10457	15
Kevin Villa	48-55 46th Street #1A Woodside, N.Y. 11377	26
Kimberly A. Bass	148-55 Hook Creek Blvd Rosedale, N.Y. 11422	31
Wilma Rodriguez	7400 Shore Front Parkway #8B Arverne, N.Y. 11692	32
Carmen M. Tones	54 Underhill Avenue Brooklyn, N.Y. 11238	35
Lois Abraham	199 8th Avenue #4B Brooklyn, N.Y. 11215	39

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Mildred Aviles	170 Avenue D #11A New York, N.Y. 10009	2
Andrew R. Martin	428 East 85th Street #2A New York, N.Y. 10028	5
Wanda Larregui	216 West 62nd Street #2D New York, N.Y. 10023	6
Rowan P. Kirchheimer	600 West 111th Street #10C New York, N.Y. 10025	7
Curtis Tibbs	15710 Riverside Drive West #3T	7

	New York, N.Y. 10032	
Susan Pollard	31-33 West 129th Street #4	9
	New York, N.Y. 10027	
Brenda Simmons	2265 5th Avenue #3B	9
	New York, N.Y. 10037	
Kathleen A. Benjamin	40-24A West Mosholu Parkway South #24A	11
	Bronx, N.Y. 10468	
Donald Feldman	500 Kappock Street #4L	11
	Bronx, N.Y. 10463	
Monica Cole-Gordon	4030 Murdock Avenue	12
	Bronx, N.Y. 10466	
Besty Santiago	120 DeKruif Place #6H	12
	Bronx, N.Y. 10475	
Margarita Vega	1893-95 Andrews Avenue #4H	14
	Bronx, N.Y. 10453	
Brigitte Gutierrez	2171 Clinton Avenue	15
	Bronx, N.Y. 10457	
Idalis Feliciano	1269 Havemeyer Avenue #1R	18
	Bronx, N.Y. 10462	
Subeh Roushom Ety	1470 East Avenue #5D	18
	Bronx, N.Y. 10462	
Evelyn Sanchez	1332 Metropolitan Avenue	18
	Bronx, N.Y. 10462	
Theresa A. Finegan	158-10 Sanford Avenue #2C	20
	Flushing, N.Y. 11358	
Dora S. Paredes	37-60 88th Street #5A	21
	Queens, N.Y. 11372	
Natella Aminov	150-24 78th Road	24
	Flushing, N.Y. 11367	
Carmen Aviles	89-43 146th Street	24
	Queens, N.Y. 11435	
Leticia Gonzalez	150-17 Jewel Avenue #2R	24
	Kew Gardens, N.Y. 11367	
Stacy D. Thompson	155-20 Jewel Avenue #2C	24
	Flushing, N.Y. 11367	
Roger E. Hammer	90-11 Northern Blvd #607	25
	Queens, N.Y. 11372	
Manuel F. Perez	31-39 56th Street	26
	Queens, N.Y. 11377	
Clarissa R. Ingram	117-28 202nd Street	27
	St. Albans, N.Y. 11412	

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Toni Wright	109-25 173rd Street Jamaica, N.Y. 11433	27
Sandy B. Cruz	83-77 Woodhaven Blvd #2G Woodhaven, N.Y. 11421	30
Antoinette Farella	61-34 69th Place Middle Village, N.Y. 11379	30
Bracha Ribowsky	809 Empire Avenue Queens, N.Y. 11691	31
Ronald S. Dalo	94-41 109th Avenue Ozone Park, N.Y. 11417	32
Antoinette M. Quinones	89-16 90th Street Woodhaven, N.Y. 11421	32
Lew M. Simon	134 Beach 122nd Street Rockaway Park, N.Y. 11694	32
Lisa A. Wohl	163-43 97th Street Howard Beach, N.Y. 11414	32
Wilfredo Negron	541 Wytthe Avenue #8H Brooklyn, N.Y. 11249	33
Drew H. Elliott	1 Rockwell Place #1F Brooklyn, N.Y. 11217	35
Janet Mason	1035 Washington Avenue #5G Brooklyn, N.Y. 11225	35
Kisha A. Nesbeth	572 Prospect Place #3B Brooklyn, N.Y. 11238	35
Jose L. Gonzalez	1411 Gates Avenue #1H Brooklyn, N.Y. 11221	37
Jose Martinez	4814 4th Avenue #105 Brooklyn, N.Y. 11220	38
Ingrid Dennie	305 Ocean Avenue #C5 Brooklyn, N.Y. 11225	40
Oladipo Fayemi	1035 Clarkson Avenue #2B Brooklyn, N.Y. 11212	41
Sandra Stevens	653 Blake Avenue #4 Brooklyn, N.Y. 11207	42
Sister Maria Theresa Amato, Op	132 Battery Avenue Brooklyn, N.Y. 11209	43
Robert E. Reale	8901 Shore Road Brooklyn, N.Y. 11209	43
Joseph J. Williams	8105 4th Avenue #6C Brooklyn, N.Y. 11209	43
Marie Ichart	1430 42nd Street	44

	Brooklyn, N.Y. 11219	
Joann Atkinson	1160 Ocean Avenue #3D	45
	Brooklyn, N.Y. 11230	
Cheryl Phillip	510 East 46th Street	45
	Brooklyn, N.Y. 11203	
Gregory E. McCree	1539 East 53rd Street	46
	Brooklyn, N.Y. 11234	
Sandra Rodriguez	2449 Stuart Street	46
	Brooklyn, N.Y. 11229	
MaryAnn L. Vigliante	7502 Avenue V	46
	Brooklyn, N.Y. 11234	
Stacey S. Newman	2040 80th Street #2R	47
	Brooklyn, N.Y. 11214	
Lenore Zalstein	2925 West 5th Street #12E	48
	Brooklyn, N.Y. 11224	
Dmitriy Aronov	34 Courtney Loop	49
	Staten Island, N.Y. 10305	
Latisha V. Catoe	2270 Richmond Terrace	49
	Staten Island, N.Y. 10302	
Phyllis Franchini	385 Adelaide Avenue	50
	Staten Island, N.Y. 10306	
Margaret Maravolo	335 Woodbine Avenue	50
	Staten Island, N.Y. 10314	
Maria Edwards	65 Westfield Avenue	51
	Staten Island, N.Y. 10309	
Linda L. Glaz	11 Wellington Court	51
	Staten Island, N.Y. 10314	
Dawn Ponisi	212 Sinclair Avenue	51
	Staten Island, N.Y. 10312	
Christie Rich	546 Ilyssa Way	51
	Staten Island, N.Y. 10312	
Silvana Tredici	230 Carteret Street	51
	Staten Island, N.Y. 10307	

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 314-A -** Establishment of a department of veterans' services.
- (2) **Int 743-A -** Establishment of an office of labor standards.
- (3) **Int 783-A -** Interest rate for unpaid charges on emergency repairs performed by HPD.
- (4) **L.U. 290 & Res 905 -** App. **20165169 HAK**, Urban Development Action Area Project, Brooklyn, Community Board 3, Council District 33.
- (5) **L.U. 291 & Res 906 -** App. **20165170 HAK**, Urban Development Action Area Project, Brooklyn, Community Boards 2 and 8, Council District 35.
- (6) **L.U. 292 & Res 907 -** App. **20165171 HAK**, Urban Development Action Area Project, Brooklyn, Community Boards 14 and 17, Council District 40.
- (7) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **43**.

The General Order vote recorded for this Stated Meeting was 43-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 743-A:**

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

Negative – Matteo – **1**.

The following was the vote recorded for **Int No. 783-A:**

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Vacca, Vallone, Williams, Wills, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **41**.

Negative – Ulrich and Matteo – **2**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 314-A, 743-A, and 783-A.

INTRODUCTION AND READING OF BILLS

Int. No. 980

By Council Members Cabrera, Lander and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to realigning contribution limits to transition and inauguration entities with contribution limits to campaigns.

Be it enacted by the Council as follows:

Section 1. Paragraph (b) of subdivision 2 of section 3-801 of the administrative code of the city of New York is amended to read as follows:

(b) not accept any donation or donations of money, goods, or services from any individual *other than the candidate*, political committee, employee organization, or entity which in the aggregate exceeds[:

(i) four thousand five hundred dollars, in the case of a candidate elected to the office of mayor, public advocate, or comptroller;

(ii) three thousand five hundred dollars, in the case of a candidate elected to the office of borough president; or

(iii) two thousand five hundred dollars, in the case of a candidate elected to the office of member of the city council;] *the limit for the applicable office contained in paragraph (f) of subdivision one of section 3-703, as adjusted pursuant to subdivision seven of such section as applicable.*

§ 2. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 981

By Council Members Cumbo, the Public Advocate (Ms. James), Rosenthal, Crowley, Cornegy, Arroyo, Chin, Dickens, Eugene, Gibson, Koo, Rose and Wills.

A Local Law in relation to the creation of an advisory board to enhance procurement opportunities for minority and women-owned businesses.

Be it enacted by the Council as follows:

Section 1. Paragraph 14 of subdivision c of section 6-129 of the administrative code of the city of New York is amended to read as follows:

(14) "Director" means an individual designated by the mayor *whose sole role is to perform the oversight functions of the director described in this section, who either reports directly to the mayor or is a commissioner.*

§ 2. *Advisory board to enhance procurement opportunities for minority and women-owned businesses. There shall be an advisory board to enhance procurement opportunities for minority and women-owned businesses. (1) Such advisory board shall:*

(i) study and evaluate the effectiveness of each city agency's efforts to achieve minority and women-owned business procurement goals;

(ii) conduct a public meeting in each borough regarding challenges minority and women-owned businesses face in the procurement process;

(iii) identify each city agency's unique challenges in achieving minority and women-owned business procurement goals; and

(iv) provide recommendations in a report that shall include, but not be limited to, specific actions each agency should take to improve and increase its minority and women-owned business procurement.

(2) Such advisory board shall consist of the following 13 members:

(i) three members shall be appointed by the mayor, provided that at least one such member shall be an employee, member or director of, or otherwise affiliated with, an organization that provides services and assistance to minority and women-owned businesses for the purpose of procuring contracts with the city;

(ii) three members shall be appointed by the speaker of the council, provided that at least one such member shall be an employee, member or director of, or otherwise affiliated with, an organization that provides services and assistance to minority and women-owned businesses for the purpose of procuring contracts with the city; and

(iii) two members shall be appointed by the public advocate, provided that at least one such member shall be an employee, member or director of, or otherwise affiliated with, an organization that provides services and assistance to minority and women-owned businesses for the purpose of procuring contracts with the city;

(iv) two members shall be appointed by the comptroller, provided that at least one such member shall be an employee, member or director of, or otherwise affiliated with, an organization that provides services and assistance to minority and women-owned businesses for the purpose of procuring contracts with the city;

(v) the chief procurement officer;

(vi) the director; and

(vii) the commissioner of the department of small business services.

The members of the advisory board who are appointed by the mayor, speaker of the council, the public advocate, and the comptroller pursuant to paragraph 2 of this subdivision shall be appointed within 60 days of the enactment of this local law. Any vacancy in the membership of the advisory board shall be filled in the same manner as the original appointment. Members of the advisory board shall serve without compensation and shall meet as necessary.

(3) No later than one year after the effective date of this local law, the advisory board shall submit to the mayor and the speaker of the council a report that shall

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include the findings and recommendations of the advisory board. Such report shall include, but not be limited to, the following:

(i) a detailed summary of the advisory board's overall findings related to challenges city agencies face with minority and business-owned business procurement;

(ii) a detailed summary of the information gathered during the public meetings held pursuant to paragraph 1 of this subdivision;

(iii) whether or not each city agency met minority and women-owned business procurement goals over the past year and for those agencies that did not meet such goals, a detailed description of the challenges that prevented the agency from meeting minority and women-owned business procurement goals and, where applicable, such challenges shall be disaggregated by area of procurement, for example construction, and goods and other services;

(iv) A detailed description of tools, processes, and strategies that were successfully utilized to help each agency in its minority and women-owned business procurement efforts; and

(v) Recommendations, including, but not limited to, specific actions each agency should take to meet the city's minority and women-owned business procurement goals.

(4) The advisory board shall cease to exist 60 days after the submission of the report required by paragraph 3 of this subdivision.

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

Referred to the Committee on Contracts.

Int. No. 982

By Council Members Ferreras-Copeland, Koo and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to extending the rate of the additional tax on the occupancy of hotel rooms.

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision a of section 11-2502 of the administrative code of the city of New York, as amended by local law number 151 for the year 2013, is amended to read as follows:

(3) In addition to the tax imposed by paragraph two of this subdivision, there is hereby imposed and there shall be paid a tax for every occupancy of each room in a hotel in the city of New York (A) at the rate of five percent of the rent or charge per day for each such room up to and including August thirty-first, nineteen hundred ninety, (B) at the rate of six percent of the rent or charge per day for each such room on and after September first, nineteen hundred ninety and before December first, nineteen hundred ninety-four, (C) at the rate of five percent of the rent or charge per

day for each such room on and after December first, nineteen hundred ninety-four and before March first, two thousand nine, (D) at the rate of five and seven-eighths percent of the rent or charge per day for each such room on and after March first, two thousand nine and before December first, two thousand thirteen, [and] (E) at the rate of five percent of the rent or charge per day for each such room on and after December first, two thousand thirteen and before December twentieth, two thousand thirteen, (F) at the rate of five and seven-eighths percent of the rent or charge per day for each such room on and after December twentieth, two thousand thirteen and before December first, two thousand [fifteen]*nineteen*, and (G) at the rate of five percent of the rent or charge per day for each such room on and after December first, two thousand [fifteen]*nineteen*.

§ 2. This local law takes effect immediately, except that if it becomes law after December 1, 2015, it is retroactive to and deemed to have been in full force and effect as of December 1, 2015.

Referred to the Committee on Finance.

Int. No. 983

By Council Members Gibson, Lander, Chin, Constantinides, Eugene and Gentile.

A Local Law to amend the administrative code of the city of New York, in relation to an advisory board on crossing guard deployment.

Be it enacted by the Council as follows:

Section 1. Section 14-118 is amended to add a new subdivision d to read as follows:

d. Advisory board on crossing guard deployment. 1. There shall be an advisory board ("the board") to advise the commissioner concerning matters related to the deployment of crossing guards as provided for in this section.

2. The board shall be comprised of the commissioner, or his or her designee; the commissioner of the department of transportation, or his or her designee; and the commissioner of the department of education, or his or her designee.

3. No member of the board shall be removed except for cause and upon notice and hearing by the appropriate appointing official.

4. Members of the advisory board shall serve without compensation and shall meet no less often than every three months.

5. The actions of the advisory board shall include, but not be limited to:

(a) an assessment of the optimal headcount and station locations of crossing guards in New York City, including but not limited to, an evaluation of traffic patterns, shifting populations, and the needs of particular schools and programs.

(b) specific recommendations for changes and/or improvements, if any, to crossing guard deployment, including, but not limited to, optimal headcount and station locations.

6. *The board shall hold at least one public meeting prior to issuance of the report pursuant to paragraph 7 of this section shall be open to the public, provided however that such meeting is no sooner than three months prior to the date of the issuance of such report. The department shall notify the public as to the time, place and subject of such meeting.*

7. *The board shall report its findings and recommendations on or before March first, two thousand sixteen, and thereafter in biannual reports, and submit such reports to the mayor, the commissioner and the speaker of the council. Such report shall include, but not be limited to:*

(a) an assessment of the optimal headcount and station locations of crossing guards in New York City and proposed actions to be taken by the department in response to recommendations.

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

Referred to the Committee on Public Safety.

Int. No. 984

By Council Members Greenfield, Richards, Eugene, Gentile and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to creating a new parking permit for expectant mothers experiencing a difficult or complicated pregnancy

Be it enacted by the Council as follows:

Section 1. Chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.3 to read as follows:

§ 19-162.3 *Permissible parking for expectant mothers experiencing a difficult or complicated pregnancy. a. For the purposes of this section, the term “difficult or complicated pregnancy” means any pregnancy which results in impaired mobility.*

b. The commissioner shall issue a parking permit for a vehicle owned or operated by an individual who has been certified by a physician as experiencing a difficult or complicated pregnancy. Such parking permit shall be issued within thirty days of the department receiving an application and shall expire thirty days after the expected delivery date.

c. Such parking permit shall only be used for the purpose of parking a vehicle where parking is prohibited by sign or rule or allowing a vehicle to stand where standing is prohibited by sign or rule.

d. Notwithstanding any other provision of law, such parking permit shall not authorize the parking of a vehicle in a bus stop, a taxi-stand, within fifteen feet of a fire hydrant, a fire zone, a driveway, a crosswalk, a no stopping zone, a no standing zone, or where the vehicle would be double-parked.

e. Any misuse of a parking permit, as determined by the commissioner, issued pursuant to this section shall be sufficient cause for revocation of such parking permit.

f. Notwithstanding any other provision of law, no vehicle bearing a permit issued pursuant to this section may be towed when such vehicle is being used in accordance with the purpose for which such permit was issued, except in public safety emergencies to be determined by the police department.

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

Referred to the Committee on Transportation.

Int. No. 985

By Council Members Kallos and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to eliminating public matching funds for contributions bundled by people doing business with the city.

Be it enacted by the Council as follows:

Section 1. Paragraphs (g) and (h) of subdivision 3 of section 3-705 of the administrative code of the city of New York are amended, and a new paragraph (i) is added to such subdivision, to read as follows:

(g) contributions from lobbyists or other persons required to be included in a statement of registration filed pursuant to section 3-213(c)(1) or section 3-213(d). The board shall rely on the database maintained by the city clerk pursuant to section 3-221 or such other information known to the board to determine whether a contribution is not matchable based on the contributor's status as a lobbyist or person required to be included in a statement of registration filed pursuant to section 3-213; [and]

(h) contributions from contributors subject to the limitations of subdivision one-a of section 3-703 of this chapter; *and*

(i) *contributions for which any person subject to the limitations of subdivision one-a of section 3-703 of this chapter acted as an intermediary.*

§ 2. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 986

By Council Members Kallos, Lancman and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to early public funds payments in local elections.

Be it enacted by the Council as follows:

Section 1. Paragraph (a) of subdivision 1 of section 3-703 of the administrative code of the city of New York is amended to read as follows:

(a) meet all the requirements of law to have his or her name on the ballot *or, for any disbursements of optional public financing occurring prior to two weeks after the last day to file designating petitions for a primary election, certify that he or she intends to meet all of the requirements of law to have his or her name on the ballot for the primary or general election;*

§ 2. Paragraph (b) of subdivision 2 of section 3-705 of the administrative code of the city of New York is amended to read as follows:

(b) Except as otherwise provided in subdivision three of section 3-706, in no case shall the principal committee of a participating candidate receive public funds pursuant to paragraph (a) above in excess of an amount equal to fifty-five percent of the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election. *In addition, the principal committee of a participating candidate shall not receive public funds prior to two weeks after the last day to file designating petitions for a primary election in excess of \$250,000 for any candidate for nomination for election to the office of mayor; \$125,000 for any candidate for nomination for election to the office of public advocate or comptroller; \$50,000 for any candidate for nomination for election to the office of borough president; and \$10,000 for any candidate for nomination for election to the office of member of the city council.*

§ 3. Subdivision 5 of section 3-709 of the administrative code of the city of New York is amended to read as follows:

5. No moneys shall be paid to participating candidates in a primary *or general* election any earlier than [two weeks after the last day to file designating petitions for such primary election] *four business days after the final day to file a written certification pursuant to section 3-703 of the code.*

§ 4. Paragraph (a) of subdivision 6 of section 3-709 of the administrative code of the city of New York is amended to read as follows:

(a) No moneys shall be paid to participating candidates in a run-off primary election held pursuant to section 6-162 of the election law [or in a general election] any earlier than the day after the day of the primary election held to nominate candidates for such election.

§ 5. Subdivision 3 of section 3-710 of the administrative code of the city of New York is amended to read as follows:

3. (a) If a participating candidate whose principal committee has received public funds is disqualified by a court of competent jurisdiction on the grounds that such candidate committed fraudulent acts in order to obtain a place on the ballot and such decision is not reversed, such candidate and his or her principal committee shall pay to the board an amount equal to the total of public funds received by such principal committee.

(b) *If a participating candidate whose principal committee has received public funds fails to actively campaign for a covered office, such candidate and his or her principal committee shall pay to the board an amount equal to the total of public funds received by such principal committee. For the purposes of this subdivision, the term “actively campaign for a covered office” shall mean filing designating petitions for inclusion on the ballot, and activities that include, but are not be limited to, raising and spending funds for nomination for election, or election to a covered office, seeking endorsements, and broadly soliciting votes.*

§ 6. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 987

By Council Members Kallos and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the minimum amount of money raised to participate in the first official campaign finance board debate for local offices.

Be it enacted by the Council as follows:

Section 1. Subdivision 1 of section 3-709.5 of the administrative code of the city of New York is amended to read as follows:

(a) In any year in which a primary, general or special election is to be held, any participating candidate and any limited participating candidate for nomination or election to a city-wide office shall participate in either of the two pre-election debates, or both, held pursuant to this section for which he or she is eligible and is required to debate pursuant to this section. A participating candidate or limited participating candidate for nomination or election to a city-wide office is eligible to participate in a debate for each election in which he or she is on the ballot if he or she has met such criteria for participation as *specified in this section, and as shall be further specified in any agreement between the debate sponsor and the board.*

(b) In any year in which a run-off primary or run-off special election to fill a vacancy for a city-wide office is held, any participating candidate and any limited participating candidate for nomination or election to such city-wide office who is on the ballot shall participate in one run-off election debate. *If, seven days prior to the date of the run-off election debate, the New York city board of elections has not yet approved a finalized run-off ballot, the participating and limited participating*

candidates with the two highest vote counts in the primary or special election immediately preceding the run-off election, as determined by the New York city board of elections unofficial election results, shall participate in one run-off election debate. If any additional candidate is separated from the candidate with the second highest vote count by one percent or less of all votes cast in the special or primary election immediately preceding the run-off election, as determined by the New York city board of elections unofficial election results, then such candidate shall also participate in such run-off election debate. If the New York city board of elections determines prior to the run-off debate that a run-off election will not take place, the debate sponsors and the board shall cancel the run-off election debate.

(c) In the case of a primary *election*, the debate shall be among participating candidates and limited participating candidates seeking the nomination of the same political party who meet the requirements provided in paragraph (a) of this subdivision. If there is no contested primary *election* for an office in a political party then no debate for that party's nomination shall be held pursuant to this section.

(d) Each debate held pursuant to this section shall be at least one hour's duration.

§ 2. Subdivision 4 of section 3-709.5 of the administrative code of the city of New York is amended to read as follows:

4. Organizations which are not affiliated with any political party or with any holder of or candidate for public office, which have not endorsed any candidate in the pending primary, special, general, or run-off election for the city-wide office shall be eligible to sponsor one or more of the required debates. The rules for conducting such debates, *and the date, time and location of such debates*, shall be solely the responsibility of the organizations selected but shall not be made final without consultation with the campaign finance board. [The organizations selected shall be responsible for choosing the date, time and location of the debates.]

§ 3. Subdivision 5 of section 3-709.5 of the administrative code of the city of New York is amended to read as follows:

5. Written applications by organizations to sponsor a debate shall be submitted to the campaign finance board on a form provided by the board not later than a date chosen by the board in any year in which an election is held for city-wide offices.

(a) The written application shall:

(i) demonstrate that the organization and any proposed co-sponsor meet the criteria of subdivision four of this section;

(ii) specify [the election] *any elections* and [office] *offices* for which the organization seeks to sponsor [the debate] *debates*;

(iii) set forth [the date] *proposed dates*, [time] *times*, [duration] *durations*, and [location] *locations* of the [debate] *debates* and the specific and exclusive circumstances under which the [date] *dates* or [time] *times* may be changed, together with a provision for when the rescheduled [debate] *debates* would be held;

(iv) provide a detailed description of the format and ground rules for the [debate] *debates*;

(v) verify that the staging, promotion, and coverage of the [debate] *debates* shall be in conformance with all applicable laws;

(vi) include an agreement to indemnify the city, *including the board*, for any liability arising from the acts or omissions of the sponsor; [and]

(vii) set forth plans for publicity and for broadcast and other media coverage for the [debate] *debates*; and

(viii) set forth the *proposed* criteria for determining which candidates are eligible to participate in each debate the organization seeks to sponsor, in accordance with paragraph (b) of this subdivision.

(b) (i) Except as otherwise provided in subparagraph (ii) below, each debate for a primary, general or special election shall include only those participating candidates or limited participating candidates the sponsor of each such debate has determined meet the non-partisan, objective, and non-discriminatory criteria set forth in any agreement between the sponsor and the board; provided, however, that the criteria for the first debate for a primary, general, or special election shall [provide, among other criteria, (A)] *include financial criteria requiring* that a participating candidate *or limited participating candidate* shall be eligible to participate in such debate if he or she has, by the last filing date prior to such debate, (I) [spent, contracted, or obligated to spend] *raised*, and (II) [received in contributions] *spent*, an amount equal to or more than [twenty percent of the threshold for eligibility for public funding applicable to participating candidates contained in subdivision two of section 3-703, and (B) that a limited participating candidate shall be eligible to participate in such debate if he or she has, by the last filing date prior to such debate, spent, contracted, or obligated to spend, an amount equal to or more than twenty percent of the threshold for eligibility for public funding applicable to participating candidates seeking the office for which such debate is being held contained in subdivision two of section 3-703; provided, however, that for the purpose of determining whether a candidate has met the financial criteria to be eligible to participate in such debate, only contributions raised and spent in compliance with the act shall be used to determine whether the candidate has raised and spent twenty percent of the threshold for eligibility for public funding applicable to participating candidates contained in subdivision two of section 3-703] *two and one half percent of the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election*; provided, further, that the second debate for a primary, general, or special election shall include only those participating candidates or limited participating candidates who the [sponsor has] *sponsors have* also determined are leading contenders on the basis of additional non-partisan, objective, and non-discriminatory criteria set forth in any agreement between the sponsor and the board. *For the purpose of determining whether a participating candidate or limited participating candidate has met the financial criteria to be eligible to participate in any debate, only contributions raised and spent in compliance with the act shall be used to determine whether the candidate has raised and spent two point five percent of the expenditure limit provided in subdivision one of section 3-706; further, money "raised" and "spent" does not include outstanding liabilities or loans.* Nothing in this provision is intended to limit the debates to the two major political parties.

(ii) If a debate sponsor has determined that a non-participating candidate has met all the non-partisan, objective, and non-discriminatory criteria applicable to

participating candidates [or] *and* limited participating candidates for access to any of the primary, general, or special election debates, the sponsor may invite that candidate to participate in such debate. In the case of a run-off primary election or a run-off special election, the sponsor may invite a non-participating candidate to participate in such debate. However, if a non-participating candidate does not accept such invitation to debate or does not appear at such debate, the debate shall go forward as scheduled; provided, however, if there is only one participating candidate or limited participating candidate participating in any such debate, such debate shall be canceled.

§ 4. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 988

By Council Members Kallos, Dickens, Lander and Wills.

A Local Law to amend the New York city charter, in relation to allowing for flexibility with respect to the voter guide.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 1052 of the New York city charter is amended to read as follows:

b. 1. The board shall take such actions as it deems necessary and appropriate to improve public awareness of the candidates, proposals or referenda *through the efficient delivery of information* in all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, including but not necessarily limited to the publication of a non-partisan, impartial [voters] voter guide *in one or more media formats* providing information on candidates, ballot proposals and referenda, and the distribution of one copy of such guide to each household in which there is at least one registered voter eligible to vote in the election involved. *A voter may opt out of receiving a printed voter guide and the board shall comply with this request to the extent feasible.*

2. *The board shall also take such actions as it deems necessary and appropriate to improve public awareness of the candidates in contested elections held in the city of New York, for any city, county, state, or federal office and ballot proposals or referenda pursuant to city, county, state, or federal law through the efficient delivery of information, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format. Consistent with all state and local laws, and pursuant to section 1056 of the charter, the campaign finance board shall coordinate with other city agencies in general and specialized efforts to improve public awareness of such candidates, proposals, and referenda.*

3. In any year in which the board publishes a [voters] *voter* guide, if the board determines that the amount of money in its budget is insufficient or likely to be insufficient for the publication and distribution of the [voters] *voter* guide, it shall report such determination to the director of the office of management and budget, who, after consultation with the board, shall, without an appropriation, transfer to the board a reasonable amount, as the director shall determine, to cover the cost of publishing and distributing the [voters] *voter* guide; provided however, that for any election in any district in which (i) there are no contested elections for the office of mayor, public advocate, borough president, comptroller or city council, and (ii) there has been no administrative action, or determination of a court of final, competent jurisdiction, to include a ballot proposal or referendum at such election sixty days or more prior to the date of such election, the board shall not publish or distribute such guide, but shall instead make available to the public on its website information to the extent practicable regarding any proposal or referendum that is to be included on the ballot.

§ 2. Section 1053 of the New York city charter is amended to read as follows:

§ 1053 [Voters] *Voter* guide. *a. For all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, [Each] each [voters] voter guide shall be published by the board in one or more media formats and shall contain, in at least one format:*

[(a)] 1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when a citizen is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; [maps showing the boundaries of council districts] *information on the political subdivisions applicable to a particular citizen's address;* and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

[(b)] 2. such tables of contents, graphics, and other materials which the board determines will make the [voters] *voter* guide easier to understand or more useful for the average voter;

[(c)] 3. [biographical] information on each candidate, including but not limited to name, party affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, [and] a listing of major organizational affiliations and endorsements, *and*[(d)] a concise [statements] *statement* by each candidate of his or her principles, platform or views; and

[(e)] 4. where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum.

b. For all elections in which there are contested elections held in the city of New York, for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, each voter guide shall be published by the board in at least one media format and shall contain information that the board deems necessary or useful to the electorate or otherwise consistent with the board's

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responsibility under this chapter to improve public awareness of candidates, proposals, and/or referenda through the efficient delivery of information.

c. [The guide] *Voter guides* shall be prepared in plain language using words with common and everyday meanings.

d. [No later than the first day of January of nineteen hundred eighty nine, the] *The* board shall promulgate such rules as it deems necessary for the preparation and publication of [the guide] *voter guides* in English, Spanish, and any other languages the board determines to be necessary and appropriate, and for *the efficient* distribution of the guide *in one or more media formats*. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

§ 3. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 989

By Council Members Kallos, Garodnick, Treyger, Gentile, Dickens, Espinal and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to requiring air quality monitoring near marine transfer stations

Be it enacted by the Council as follows:

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

§ 17-198 *Air quality monitoring in areas adjacent to marine transfer stations. a. For each city-owned marine transfer station that is accepting solid waste, the commissioner shall, in conjunction with the commissioner of environmental protection, regularly monitor air quality for, at a minimum, the following pollutants in the vicinity of such station: particulate matter, nitrogen dioxide, carbon monoxide, sulfur dioxide, lead and ozone. Such monitoring shall occur no less frequently than daily and shall occur, where practicable, within 500 feet of such station.*

b. On or before the fifth day of each month, the findings of such monitoring for the immediately preceding calendar month shall be published on the website of the department and the department of environmental protection and shall be sent by regular and electronic mail to:

1. The council member in whose district the marine transfer station is located and the council member in whose district such monitoring is occurring;

2. The community board for the community district where the marine transfer station is located and the community board for the community district where such monitoring is occurring; and

3. The chairpersons of the council committees on environmental protection and health.

c. If such monitoring finds that pollutant levels exceed the United States environmental protection agency national ambient air quality standards for such pollutants at any time, such finding shall be published on the website of the department and the department of environmental protection and shall be sent by regular and electronic mail to the persons identified in paragraphs 1, 2 and 3 of subdivision b of this section within five business days after such finding.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of health and mental hygiene and the commissioner of environmental protection shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Environmental Protection.

Int. No. 990

By Council Members King and Lander.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting contributions from non-registered political committees to candidates who are not participating in the city's public matching program.

Be it enacted by the Council as follows:

Section 1. Paragraph (b) of subdivision 2 of section 3-719 of the administrative code of the city of New York is amended to read as follows:

(b) A non-participating candidate, and the authorized committees of such a non-participating candidate, shall only accept contributions as limited by the provisions of paragraphs (f) and (l) of subdivision one of section 3-703, subdivision 1-a of section 3-703, [and] subdivision ten of section 3-703, *and section 3-707* of this chapter. Notwithstanding any contribution limitations in paragraphs (f) and (h) of subdivision one of section 3-703 and subdivision 1-a of section 3-703, a non-participating candidate may contribute to his or her own nomination for election or election with his or her personal funds or property, in-kind contributions made by the candidate to his or her authorized committees with the candidate's personal funds or property, and advances or loans made by the non-participating candidate with the candidate's personal funds or property. A candidate's personal funds or property shall include his or her funds or property jointly held with his or her spouse, domestic partner, or unemancipated children.

§ 2. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

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Int. No. 991

By Council Members Koslowitz, Chin, Dickens, Gentile and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the limitation on parking of mobile homes and trailers on residential streets.

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 19-170.1 to read as follows:

§ 19-170.1 Limitation on parking of mobile homes and trailers. a. Definitions. As used in this subchapter, the following terms shall have the following meanings:

Mobile home. The term “mobile home” shall have the same meaning as set forth in section 122-c of the vehicle and traffic law or any successor provision.

Trailer. The term “trailer” shall have the same meaning as set forth in section 156 of the vehicle and traffic law or any successor provision.

Residential street. The term “residential street” shall mean those streets, or parts thereof, which are unmeted where there is one or more residential units.

b. When parking is not otherwise restricted, it shall be a violation for a person to park a mobile home or trailer in excess of three hours on a residential street.

c. Notwithstanding the foregoing, it shall be a violation for a person to park a mobile home or trailer on a residential street from nine o'clock in the night until five o'clock in the morning.

d. Any mobile home or trailer parked in violation of subdivision b or c of this section shall be subject to impoundment by the department, the police department or any other authorized agency. The commissioner and the police commissioner shall be authorized to promulgate rules and regulations concerning the procedure for the impoundment of mobile homes or trailers.

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Transportation.

Int. No. 992

By Council Members Lander, Gibson, Chin, Eugene, Lancman, Rose and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on crossing guard deployment.

Be it enacted by the Council as follows:

Section 1. Section 14-118 is amended to add a new subparagraph b to read as follows:

(b) a deployment map of the stationed crossing guard locations in New York City. Such map shall also be posted on the department website.

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

Referred to the Committee on Public Safety.

Int. No. 993

By Council Members Levin, Eugene and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to changing the date of an annual report related to sexually exploited children.

Be it enacted by the Council as follows:

Section 1. Section 21-402 of the administrative code of the city of New York is amended to read as follows:

c. Commencing on [January 1, 2014] *March 1, 2016* and annually thereafter, no later than every [January] *March* 1st, the commissioner, in consultation with the commissioner of the administration for children's services ("ACS") shall submit a yearly report to the speaker of the city council, *and posted on the department's and ACS' websites* documenting the number of youth in contact with the department's runaway and homeless youth services or ACS who are referred as, self-report as, or who the department or ACS later determine to be sexually exploited children, disaggregated by age utilizing the following ranges under 12 years old, 12-[16] *15* years old, 16-18 years old and over 18 years old, by gender and by whether such children had contact with the department or ACS. The department and ACS shall also determine and document in such report the number of such children identified as having received services from both the department and ACS. Such report shall also include a description of the services provided by the department and ACS to meet the needs of youth who are or have been sexually exploited children including, but not limited to the number of beds designated for such children and the types of mental health and health services provided to such children. Such report shall also include the department's and ACS's methods for collecting data regarding the number of sexually exploited children. Nothing herein shall require the department or ACS to share information that identifies such children. No information that is 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 such children's information.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

November 10, 2015

3978

Int. No. 994

By Council Members Levine, Chin, Dickens and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to electronic mail for trees of significant interest.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-144 to read as follows:

§ 18-144 Tree-mail. No fewer than 200 trees under the control of the department shall be designated by the commissioner for the placement of signage, on or near such trees, providing both a unique identifier for each tree and a dedicated e-mail address for public comment on such trees. Such trees shall be selected for designation based on one or more of the following criteria: i) age; ii) height; iii) width; iv) uncommonness of species; v) historic interest; vi) natural interest or vii) public interest. At the commissioner's discretion, trees may be designated, or removed from designation, provided that no tree for which such signage may be a hazard shall be designated.

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

Referred to the Committee on Parks and Recreation.

Int. No. 995

By Council Members Levine, Dickens, Chin and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the use of certain credit information in rental housing applications.

Be it enacted by the Council as follows:

Section 1. Section 8-102 of the administrative code of the city of New York is amended by adding new subdivisions 30, 31, 32 and 33 to read as follows:

30. The term "collection account" means a debt sold or referred by a creditor to a third party, or to an internal collection department, for collection.

31. The term "consumer debt judgment" means a judgment rendered by a court relating to a debt incurred primarily for a personal, family or household purpose, but does not include a judgment of foreclosure and sale on a residential mortgage.

32. The term "medical debt" means a debt arising from the receipt of medical services, products or devices.

33. The term "affordable unit" means a dwelling unit, as such term is defined in the New York city building code, for which the rent, sale price or resale price, as applicable to such unit, is restricted to make such unit affordable for occupants

thereof pursuant to the affordability requirements of a city program, or a federal or state program administered by the city, in which city financial assistance, or any additional use or bulk, as such terms are defined in section 12-10 of the New York city zoning resolution, is provided. The term "affordable unit" does not include a dwelling unit that is reserved for occupancy by the superintendent of the building containing such unit. For the purpose of this definition, the term "city financial assistance" means assistance that is paid for by the city, allocated by the city, or allocated by another individual or entity on the city's behalf, and includes, but is not limited to, any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value or other thing of value.

§ 2. Subparagraph 4 of paragraph (a) of subdivision 5 of section 8-107 of the administrative code of the city of New York is renumbered to subparagraph 6 and new subparagraphs 4 and 5 are added to read as follows:

(4) To use or consider any credit score, consumer debt judgment, collection account or medical debt of a tenant or prospective tenant in the rental or lease of a housing accommodation.

(5) In connection with the rental or lease of an affordable unit to any tenant or prospective tenant, to (i) use the consumer credit history of any member of such tenant or prospective tenant's household other than the member of such tenant or prospective tenant's household designated by such household to represent such household in all matters pertaining to the rental or lease of such unit or (ii) fail to disclose, in writing, to such designee the process and criteria by which such designee's consumer credit history will be evaluated.

§ 3. Paragraph (c) of subdivision 5 of section 8-107 of the administrative code of the city of New York is amended by adding new subparagraphs 4 and 5 to read as follows:

(4) To use or consider any credit score, consumer debt judgment, collection account or medical debt of a tenant or prospective tenant in the rental or lease of a housing accommodation.

(5) In connection with the rental or lease of an affordable unit to any tenant or prospective tenant, to (i) use the consumer credit history of any member of such tenant or prospective tenant's household other than the member of such tenant or prospective tenant's household designated by such household to represent such household in all matters pertaining to the rental or lease of such unit or (ii) fail to disclose, in writing, to such designee the process and criteria by which such designee's consumer credit history will be evaluated.

§ 4. This local law takes effect one year after it becomes law, except that the chair of the commission on human rights may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Civil Rights.

Int. No. 996

By Council Members Miller, Ulrich, Chin, Constantinides, Dickens, Eugene, Gentile, Lancman, Rose and Cohen.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the provision of unpaid military family leave.

Be it enacted by the Council as follows:

Section 1. This local law shall be known as “The Family Military Leave Act.”

§ 2. Subdivision (e) of section 2203 of the New York city charter, as amended by local law number 46 for the year 2013, is hereby amended to read as follows:

(e) The commissioner shall have all powers as set forth in chapter 8 of title 20 of the administrative code relating to the receipt, investigation, and resolution of complaints thereunder regarding earned sick time, and the power to conduct investigations regarding violations of such chapter upon his or her own initiative. The commissioner shall have all powers as set forth in [chapter] *chapters 8 and 9* of title 20 of the administrative code relating to the receipt, investigation, and resolution of complaints thereunder regarding earned sick time *and military family leave*, and the power to conduct investigations regarding violations of such chapter upon his or her own initiative.

§ 3. Paragraph (1) of subdivision (h) of section 2203 of the New York city charter, as relettered by local law number 46 for the year 2013, is hereby amended to read as follows:

(h)(1) Notwithstanding any inconsistent provision of law, the department shall be authorized, upon due notice and hearing, to impose civil penalties for the violation of any laws or rules the enforcement of which is within the jurisdiction of the department pursuant to this charter, the administrative code or any other general, special or local law. The department shall have the power to render decisions and orders and to impose civil penalties for all such violations, and to order equitable relief for and payment of monetary damages in connection with enforcement of [chapter] *chapters 8 and 9* of title 20 of the administrative code. Except to the extent that dollar limits are otherwise specifically provided, such civil penalties shall not exceed five hundred dollars for each violation. All proceedings authorized pursuant to this subdivision shall be conducted in accordance with rules promulgated by the commissioner. The remedies and penalties provided for in this subdivision shall be in addition to any other remedies or penalties provided for the enforcement of such provisions under any other law including, but not limited to, civil or criminal actions or proceedings.

§ 4. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 10 to read as follows:

CHAPTER 10
MILITARY FAMILY LEAVE

§ 20-927 **Definitions.** *As used in this chapter, the following terms have the following meanings:*

Calendar year. The term “calendar year” means a consecutive twelve month period, as determined by an employer.

Child. The term “child” shall mean a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

Employee. The term “employee” means any “employee” as defined in section 190(2) of the labor law who is employed for hire within the city of New York for more than eighty hours in a calendar year who performs work on a full-time or part-time basis, including work performed in a transitional jobs program pursuant to section 336-f of the social services law, but not including those who are employed by (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by general municipal law section 92 or county law section 207.

Employer. The term “employer” means any “employer” as defined in section 190(3) of the labor law, but not including (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city of New York or any local government, municipality or county or any entity governed by general municipal law section 92 or county law section 207.

Period of military conflict. The term “period of military conflict” means a period of war declared by the United States Congress, declared by executive order of the president, or in which a member of a reserve component of the armed forces is ordered to active duty pursuant to either sections 12301 and 12302 of Title 10 of the United States Code or Title 32 of the United States Code.

Retaliation. The term “retaliation” means any threat, discipline, discharge, demotion, suspension, reduction in employee hours, or any other adverse employment action against any employee for exercising or attempting to exercise any right guaranteed under this chapter.

§ 20-931 **Right of military families to take to unpaid time off.** a. During a period of military conflict, an employee who is the spouse, domestic partner, parent, grandparent, sibling, child, or the child or parent of a member of the military’s spouse or domestic partner, of a member of the armed forces of the United States, national guard, or reserves who has been notified of an impending call or order to active duty or has been deployed is entitled to a total of twenty days of unpaid leave per year, after the member of the military has been notified of an impending call or order to active duty and before deployment or when the member of the armed forces is on leave from deployment.

b. An employee who seeks to take leave under this chapter must provide the employer with notice within ten business days of receiving official notice of an impending call or order to active duty or of a leave from deployment, of the employee's intention to take leave under this chapter.

c. An employee who takes leave under this chapter is entitled on return from leave:

1. To be restored by the employer to the position of employment held by the employee when the leave commenced or be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment at the same workplace or a workplace within a reasonable distance of the employee's workplace when leave commenced; and

2. Maintain all employment benefits accrued before the date on which the leave commenced.

d. During any period of leave taken under this chapter, if the employee is not eligible for any employer contribution to medical or dental benefits under an applicable collective bargaining agreement or employer policy during any period of leave, an employer shall allow the employee to continue, at the employee's expense, medical or dental insurance coverage, including any spouse and dependent coverage, in accordance with state or federal law.

§ 20-934 Retaliation and interference prohibited. *No employer shall engage in retaliation or threaten retaliation against an employee for exercising or attempting to exercise any right provided pursuant to this chapter, or interfere with any investigation, proceeding or hearing pursuant to this chapter. The protections of this chapter shall apply to any person who mistakenly but in good faith alleges a violation of this chapter. Rights under this chapter shall include, but not be limited to, the right to request and use unpaid military family leave, file a complaint for alleged violations of this chapter with the department, communicate with any person about any violation of this chapter, participate in any administrative or judicial action regarding an alleged violation of this chapter, or inform any person of his or her potential rights under this chapter.*

§ 20-935 Notice of rights. *a. An employer shall provide any new employee at the commencement of employment or any existing employee within thirty days of the effective date of this local law, with written notice of such employee's right to military family leave pursuant to this chapter, including the right to be free from retaliation and to bring a complaint to the department. Such notice shall be in English and the primary language spoken by that employee, provided that the department has made available a translation of such notice in such language pursuant to subdivision b of this section. Instead of providing each employee with such notice, an employer may instead conspicuously post such notice at such employer's place of business in an area accessible to employees.*

b. The department shall create and make available notices that contain the information required pursuant to subdivision a of this section and such notices shall allow for the employer to fill in applicable dates for such employer's calendar year. Such notices shall be posted in a downloadable format on the department's website in Chinese, English, French-Creole, Italian, Korean, Russian, Spanish and any other language deemed appropriate by the department.

c. Any person or entity that willfully violates the notice requirements of this section shall be subject to a civil penalty in an amount not to exceed fifty dollars for each employee who was not given appropriate notice pursuant to this section.

§ 20-936 **Employer records.** An employer shall retain records documenting such employer's compliance with the requirements of this chapter for a period of three years unless otherwise required pursuant to any other law, rule or regulation, and shall allow the department to access such records, with appropriate notice and at a mutually agreeable time of day, in furtherance of an investigation conducted pursuant to this chapter.

§ 20-937 **Other legal requirements.** a. This chapter provides minimum requirements pertaining to unpaid military family leave and shall not be construed to preempt, limit or otherwise affect the applicability of any other law, rule, regulation, requirement, policy or standard that provides for more generous leave policies or otherwise extends protections to employees.

b. Nothing in this chapter shall be construed as creating or imposing any requirement in conflict with any federal or state law, rule or regulation, nor shall anything in this chapter be construed to diminish or impair the rights of an employee or employer under any valid collective bargaining agreement.

§ 20-938 **Enforcement and penalties.** a. The department shall enforce the provisions of this chapter. In effectuating such enforcement, the department shall establish a system utilizing multiple means of communication to receive complaints regarding non-compliance with this chapter and investigate complaints received by the department in a timely manner.

b. Any person alleging a violation of this chapter shall have the right to file a complaint with the department within two years of the date the person knew or should have known of the alleged violation. The department shall maintain confidential the identity of any complainant unless disclosure of such complainant's identity is necessary for resolution of the investigation or otherwise required by law. The department shall, to the extent practicable, notify such complainant that the department will be disclosing his or her identity prior to such disclosure.

c. Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint and attempt to resolve it through mediation. The department shall keep complainants reasonably notified regarding the status of their complaint and any resultant investigation. If the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation. The commissioner shall prescribe the form and wording of such notices of violation. The notice of violation shall be returnable to the administrative tribunal authorized to adjudicate violations of this chapter.

d. The department shall have the power to impose penalties provided for in this chapter and to grant an employee or former employee all appropriate relief. Such relief payable to an employee or former employee shall include:

1. for each instance of military family leave requested by an employee but unlawfully denied by the employer and not taken by the employee: five hundred dollars;

2. for each instance of unlawful retaliation not including discharge from employment: five hundred dollars and equitable relief as appropriate; and

3. for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, a two thousand five hundred dollar penalty and equitable relief, including reinstatement, as appropriate.

e. Any entity or person found to be in violation of this chapter shall be liable for a civil penalty payable to the city not to exceed five hundred dollars for the first violation and, for subsequent violations that occur within two years of any previous violation, not to exceed seven hundred and fifty dollars for the second violation and not to exceed one thousand dollars for each succeeding violation.

§ 5. This local law shall take effect 120 days after its enactment and the commissioner shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Civil Service and Labor.

Int. No. 997

By the Public Advocate (Ms. James) and Council Members Chin, Constantinides, Koo, Rose and Van Bramer.

A Local Law to amend the administrative code of the city of New York, in relation to pedestrian countdown signals.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-193 to read as follows:

§ 19-193 *Pedestrian control signals.* a. For the purposes of this section, the term "pedestrian countdown signal" means any automated digital reading that counts down seconds until a pedestrian may no longer safely cross the street.

b. Whenever pedestrian control signals are in operation, such signals shall indicate as follows:

1. Walk, green hand symbol or green walking figure. Pedestrians facing such signal may proceed across the roadway in the direction of the signal in any crosswalk. Vehicular traffic shall yield the right of way to such pedestrians.

2. Flashing don't walk, red hand symbol or red standing figure. Pedestrians facing such signal are advised that there may be insufficient time to cross the roadway. Pedestrians already in the roadway shall proceed to the nearest safety island or sidewalk. Pedestrians shall have the right of way for the duration of the flashing cycle and vehicular traffic shall yield the right of way to all such pedestrians for as long as the signal remains flashing. Where a pedestrian countdown signal is counting down, a pedestrian who has reached a safety island may continue to cross the roadway to the nearest sidewalk, as long as the pedestrian reaches such sidewalk before the pedestrian countdown signal is finished counting down.

3. Steady don't walk red hand symbol or red standing figure. Pedestrians facing such signal shall not enter or cross the roadway.

§2. This local law takes effect 90 days after its enactment.

Referred to the Committee on Transportation.

Int. No. 998

By Council Members Rodriguez, Chin and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report arrests resulting from Local Law 29 of 2014.

Be it enacted by the Council as follows:

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

§14-155. Right of way arrests. a. The commissioner shall post on the department website, beginning October 15, 2015 and within 15 days of each quarter thereafter, quarterly reports regarding the number of arrests made for violations of section 19-190 of the code.

§2. This local law takes effect immediately upon enactment.

Referred to the Committee on Public Safety.

Int. No. 999

By Council Members Rodriguez, Chin, Gentile and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to an unused muni-meter time mobile application.

Be it enacted by the Council as follows:

Section 1. Section 19-167.2 of the administrative code of the city of New York is amended by amending subdivision a and by adding new subdivision c to read as follows:

For the purposes of this section[,the term]:

“mobile application” shall mean software designed to run on smartphones and other mobile devices.

“muni-meter” shall mean an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicles dashboard.

c. The department shall allow or create a mobile application that connects individuals for the purpose of exchanging unused parking time.

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

Referred to the Committee on Transportation.

Res. No. 903

Resolution calling upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

By Council Members Rodriguez, Chin, Dickens, Gibson and Rose.

Whereas, The New York City subway system is experiencing record high ridership levels, exposing the limits of its ability to accommodate increasing demand; and

Whereas, Continued population and job growth throughout the City, and specifically in the boroughs outside of Manhattan, is expected to further strain the City's public transit system; and

Whereas, There are rail lines throughout the City that have the potential to accommodate increased levels of passenger service than they do today; and

Whereas, One example of an underused rail corridor is the Long Island Rail Road's Montauk Line between Long Island City and Jamaica in Queens, which last saw passenger service in the 1990s and now only serves a few overnight freight trains; and

Whereas, Other examples include the abandoned Rockaway Beach Branch between Ozone Park and Rego Park in Queens and the New York Connecting Railroad (including the Bay Ridge Branch and the Fremont Secondary) between Bay Ridge, Brooklyn, and Woodside, Queens, which is only used by freight trains; and

Whereas, Many proposals have been put forward over the years for increased passenger service using existing rights-of-way, including the Regional Plan Association's Triboro Rx plan for a line connecting the Bronx, Queens, and Brooklyn; and

Whereas, The Metropolitan Transportation Authority's Twenty-Year Capital Needs Assessment, released in October 2013, identifies the Bay Ridge Branch and the Rockaway Beach Branch as possible options for new service; and

Whereas, The Assessment asserts that converting existing rights-of-way to allow for increased passenger service "could help reduce land acquisition and construction costs, and facilitate construction time in densely developed areas"; and

Whereas, In order to begin the process of better connecting relatively-isolated communities with the mass transit system at a fraction of the cost of building completely new rail lines, a thorough examination of the possibilities for increased use of existing rights-of-way is needed; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and

underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

Referred to the Committee on Transportation.

Int. No. 1000

By Council Members Torres, Garodnick, Chin, Dickens, Dromm, Gentile, Lander, Lancman, Cohen and Miller.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report seized property data on an annual basis.

Be it enacted by the Council as follows:

Section I. Title 14 of the administrative code of the city of New York is amended by adding a

new section 14-155 to read as follows:

§14-155. Seized Property Data Reports.

a. Definitions. For the purpose of this section:

“Retained property” shall mean property the property clerk of the department owns pursuant to section 14-140 of the administrative code because the title of such property has been waived or forfeited.

“Seized property” shall mean property over which the property clerk of the department has obtained custody pursuant to section 14-140 of the administrative code but that the ownership of which has not been adjudicated.

b. Annual Report. The department shall submit to the council and post on the department’s website on an annual basis, no later than February 1 of each year a report detailing seized and retained property data for the preceding calendar year. Such report shall be disaggregated by borough and police precinct and further disaggregated by the type of property being held by the department which shall include, at a minimum, the following:

1. the total amount of money held by the department disaggregated by:

(i) the dollar amount of such money held for safekeeping, noting the dollar amount returned to a claimant;

(ii) the dollar amount of such money held as arrest evidence, noting the dollar amount returned to a claimant;

(iii) the dollar amount of such money retained after a settlement or judgment in a civil forfeiture proceeding;

(iv) the dollar amount of such money that was retained because no person retrieved such money within 120 days after the termination of criminal proceedings for arrest evidence pursuant to section 12-35(e) of the rules of the city of New York, 120 days after the money was vouchered for safekeeping pursuant to section 12-

35(c) of the rules of the city of New York or any time after the money was vouchered for investigatory evidence;

(v) the dollar amount of such money that was retained because the owner of the money was not ascertained; and

(vi) the dollar amount of such money that was ultimately returned by the department following a dismissal, judgment, or settlement in a civil forfeiture proceeding pursuant to administrative code section 14-140.

2. the total number of motor vehicles held by the department disaggregated by:

(i) the number of such vehicles held for safekeeping, noting the number of vehicles returned to a claimant;

(ii) the number of such vehicles held as arrest evidence, noting the number of vehicles returned to a claimant;

(iii) the number of such vehicles retained after a settlement or judgment in a civil forfeiture proceeding;

(iv) the number of such vehicles that were retained because no person retrieved such

vehicle within 120 days after the termination of criminal proceedings for arrest evidence pursuant to section 12-35(e) of the rules of the city of New York, 120 days after the money was vouchered for safekeeping pursuant to section 12-35(c) of the rules of the city of New York or any time after the money was vouchered for investigatory evidence;

(v) the number of such vehicles auctioned pursuant to section 1224 of the state vehicle and traffic law by the department and the total dollar amount the department received as consideration for such vehicles; and

(vi) the number of such vehicles that were ultimately returned by the department to vehicle claimants, also noting the number of vehicles returned to claimants after a civil forfeiture proceeding;

3. the total dollar value of all property, other than money or vehicles, held by the department,

disaggregated by:

(i) the dollar value of such property held for safekeeping, noting the dollar value of such property returned to a claimant;

(ii) the dollar value of such property held as arrest evidence, noting the dollar value of such property returned to a claimant;

(iii) the dollar value of such property held as contraband, noting the dollar value of such property returned to a claimant;

(iv) the dollar value of such property retained after a settlement or judgment in a civil forfeiture proceeding pursuant to administrative code section 14-140;

(v) the dollar value of such property that was retained because no person retrieved such

property within 120 days after the termination of criminal proceedings for arrest evidence pursuant to section 12-35(e) of the rules of the city of New York, 120 days after the money was vouchered for safekeeping pursuant to section 12-35(c) of the

rules of the city of New York or any time after the money was vouchered for investigatory evidence;

(vi) the dollar amount of such property that was retained because the claimant of the property was not ascertained; and

(vii) the dollar value of such property that was ultimately disbursed by the department because of a dismissal, judgment, or settlement in a civil forfeiture proceeding pursuant to administrative code section 14-140;

4. the total dollar value of property retained by the department in the preceding year;

5. the gross revenue generated by liquidation of retained property and the cost of maintaining custody of the retained property during that year; and

6. a complete and detailed accounting of the liquidation of the retained property including a complete list of entities or persons to which the department sold, transferred, contracted to sell, or otherwise received consideration for retained property, the dollar value of the consideration the department received in exchange for retained property from each of those entities or persons in the preceding year, a complete list of the funds or agencies into which the department deposited revenue from the liquidation of retained property, and the expenses, if any, paid by the department related to liquidation.

§2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1001

By Council Members Williams, Chin, Dickens, Lander and Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to requiring disclosure of entities that own entities that do business with the city.

Be it enacted by the Council as follows:

Section 1. Subdivision 20 of section 3-702 of the administrative code of the city of New York is amended to read as follows:

20. The term “doing business database” means a computerized database accessible to the board that contains the names of persons who have business dealings with the city; provided, however that for purposes of this chapter the doing business database shall not be required to contain the names of any person whose business dealings with the city are solely of a type for which the board has not certified that such database includes the names of those persons engaged in such type of business dealings with the city. Such database shall be developed, maintained and updated by the office of the mayor in a manner so as to ensure its reasonable accuracy and completeness; provided, however, that in no event shall such database be updated less frequently than once a month. Such computerized database shall

contain a function to enable members of the public to determine if a given person is in the database because such person has business dealings with the city. For purposes of this definition, the term “person” shall include an entity that has business dealings with the city, any chief executive officer, chief financial officer and/or chief operating officer of such entity or persons serving in an equivalent capacity, any person employed in a senior managerial capacity regarding such entity, or any person *or organization* with an interest in such entity which exceeds ten percent of the entity provided, however, that “entity” for purposes of this definition shall not include a neighborhood, community or similar association consisting of local residents or homeowners organized on a non-profit basis where such association is the applicant pursuant to subsection (3) of subdivision (a) of section 197-c of the charter or pursuant to section 201 of the charter or is a parent company or an affiliated company of an entity. For purposes of this subdivision, the phrase “senior managerial capacity” shall mean a high level supervisory capacity, either by virtue of title or duties, in which substantial discretion and oversight is exercised over the solicitation, letting or administration of business transactions with the city, including contracts, franchises, concessions, grants, economic development agreements and applications for land use approvals.

§ 2. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 1002

By Council Members Williams, Lander and Cohen.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the conflicts of interest board to maintain records of compliance with the conflicts of interest law for participants in the city’s public matching program.

Be it enacted by the Council as follows:

Section 1. Paragraph (m) of subdivision 1 of section 3-703 of the administrative code of the city of New York is amended to read as follows:

(m) fulfill the requirements of section 12-110 of the administrative code of the city of New York, including payment of any penalties as determined by the conflicts of interest board.

(i) The conflicts of interest board shall [provide a participating candidate with a receipt indicating proof of] *maintain a record of all candidates* in compliance with section 12-110 of the administrative code of the city of New York [in such form as the conflicts of interest board shall determine]. *Such record shall indicate the date of filing of the candidate’s most recent annual disclosure report and the status of the candidate’s compliance with section 12-110 of the administrative code for all years for which the candidate is required to file. Such record shall be provided to the campaign finance board upon request.* [Such receipt as provided by the conflicts of

interest board shall indicate the time and date of filing of the financial disclosure report.]

(ii) A participating candidate shall [provide the campaign finance board with the receipt provided by the conflicts of interest board pursuant to subparagraph (i) of this paragraph, in such form and manner as the campaign finance board shall require,] *fulfill the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board* by the last business day of July in the year of the covered election, or such other later date as the campaign finance board shall provide by rule, except that in a special election to fill a vacancy [the] *such* deadline [for filing such receipt] shall be established by campaign finance board rule.

(iii) A participating candidate who fails to adhere to the requirements of subparagraph (ii) of this paragraph may thereafter satisfy the requirements of this paragraph by [submitting a receipt in accordance with subparagraph (i) of this paragraph at such times and in such manner as provided by campaign finance board rule] *fulfilling the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board*. The campaign finance board shall thereafter allow the participating candidate to make a claim for public funds upon satisfying the requirements of this paragraph and all other applicable law, rules and regulations; provided, however that a [receipt that is not filed] *failure to fulfill the requirements of section 12-110 of the administrative code to the satisfaction of the conflicts of interest board in a timely fashion* pursuant to subparagraph (ii) of this paragraph may result in a delay of any payment of public funds by the board[; and].

§ 2. This local law takes effect on January 1, 2016.

Referred to the Committee on Governmental Operations.

Int. No. 1003

By Council Members Williams, Menchaca, Chin, Dickens and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a task force on information security for city agencies.

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 8 to read as follows:

CHAPTER 8
TASK FORCE ON SECURITY FOR AGENCY WEBSITES

§23-801 Definitions

§23-802 Task Force on Information Security

§23-801 Definitions. As used in this chapter:

a. "Department" means the department of information technology and telecommunications or any successor agency.

b. "Personal information" means any information concerning an individual which, because of name, number, symbol, mark or other identifier, can be used to identify that individual; including an individual's social security number, driver's license number or non-driver identification card number and credit or debit card number, in combination with any required security code, access code, or password which would permit access to such individual's financial accounts.

§23-802 Task Force on Information Security. a. There shall be a task force to study information security protocols for city agencies that collect and store personal information about city residents and to make specific recommendations to the mayor and council for the improvement of such information security protocols.

b. The task force shall consist of nine voting members, five of whom shall be appointed by the mayor, and four of whom shall be appointed by the speaker of the council. The commissioner of the department or his or her delegate shall be a non-voting member. Each voting member of the task force shall serve without compensation and at the pleasure of the appointing official and any vacancy shall be filled in the same manner as the original appointment. The voting members shall choose a chairperson from among the voting members.

c. The task force shall meet with the commissioner or his or her designee prior to February first and prior to July first each year at which time the commissioner or his or her delegate may respond to any recommendations made by such task force pursuant to this subdivision. The location and time of such meeting shall be determined by the chairperson in coordination with the commissioner. The commissioner, chairperson or any three voting members of the task force may also schedule a meeting of the task force by providing notice of such meeting to all members of the committee at least ten calendar days before such meeting. Notice of all meetings shall be made to the members of the task force by electronic mail and via facsimile as available or via certified mail to the last known address of such member if neither electronic mail nor facsimile is available.

d. By December 31 of each year, the task force shall provide to the mayor and the council a report evaluating the status of the information security protocols used by city agencies including, but not limited to: (i) an evaluation of the current information security protocols used by each city agency; (ii) a description of the categories of personal information stored or collected by each agency; (iii) a description of any known breaches to city agency websites or databases where any personal information may have been stolen or compromised during most recent calendar year; and (iv) recommendations for improving the effectiveness of information security protocols for city agencies.

e. The task force may at any time make additional recommendations regarding information security protocols independent of the requirements provided for in subdivision d of this section.

f. Reports and recommendations of the task force pursuant to subdivisions d and e of this section shall be made available on the department's website within ten days after the release of any such report, recommendation, or response.

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

Referred to the Committee on Technology.

Res. No. 904

Resolution calling upon the New York State Education Department and the New York City Department of Education to use only meat, poultry, and produce that has been certified as organic by the United States Department of Agriculture.

By Council Members Wills, Kallos and Espinal.

Whereas, School breakfast and lunch are national programs, authorized by Congress and administered by the United States Department of Agriculture (USDA); and

Whereas, The New York State Education Department (NYSED) is part of the University of the State of New York, one of the most complete, interconnected systems of educational services in the United States (U.S.); and

Whereas, Over 63 percent of New York State's children qualify for free or reduced meals in school and their families rely on these resources to keep their children healthy and well-nourished during the week; and

Whereas, New York State schools may participate in the USDA's Food and Nutrition Service Child Nutrition Program, School Breakfast Program, Afterschool Snack Program, and the Special Milk Program; and

Whereas, All participating local education agencies in New York are required by federal law to establish and implement, for all schools under its jurisdiction, local school wellness policies that meet minimum standards designed to promote sound nutrition, student health, reduce childhood obesity, and provide transparency to the public on the school nutrition environment; and

Whereas, The NYSED launched the Healthy Schools Program in 2006 to help schools become healthier places for both students and teachers by, having healthy foods and beverages in the cafeteria and vending machines, increasing physical activity, and providing resources for teachers and staff to become healthy role models; and

Whereas, The New York City Department of Education (DOE) is the largest system of public schools in the U.S., serving approximately 1.1 million students in more than 1,800 schools; and

Whereas, According to the DOE, its Office of School Food, known as "SchoolFood", is the largest food service provider in the U.S., providing over 850,000 total meals each day, of which 700,000 are provided to students free of

charge in over 1,700 locations including City public elementary, middle, special education, high schools, charter, and some non-public schools; and

Whereas, Schoolfood works closely with the food industry such as food processors, manufacturers, and distributors, to serve food that meets the USDA standards for school meals and the New York City Food Standards; and

Whereas, Additionally, Schoolfood's nutrition standards not only meet but exceed USDA's Nutrition Standards for school meals by not using food additives such as artificial colors or flavors, non-nutritive sweeteners, or preservatives and restricting high fructose corn syrup where feasible; and

Whereas, Moreover, Schoolfood has partnered with Grow to Learn NYC to form a Citywide School initiative to connect schools and community gardens with school lunch meals through the seasonal harvest events and educational activities; and

Whereas, According to data published by the Food and Drug Administration (FDA), more antibiotics are sold in the U.S. for food-producing animals as opposed to people, which contributes to the proliferation of antibiotic-resistant bacteria in food-producing animals; and

Whereas, The Center for Disease Control (CDC) states that some bacteria have become resistant to more than one type of antibiotic, and can be transmitted from food-producing animals to humans through the food supply, making it more difficult to treat the infections they cause; and

Whereas, This routine and unnecessary use of antibiotics contributes significantly to the rise of resistant bacterial infections in people and government tests of raw supermarket meat revealed that 55% of ground beef, 81% of ground turkey, 69% of pork chops, and 39% of poultry had antibiotics; and

Whereas, According to the CDC, each year in the U.S., at least 2 million people become infected with bacteria that are resistant to antibiotics and at least 23,000 people die each year as a direct result of these infections and many more people die from other conditions that were complicated by an antibiotic-resistant infection; and

Whereas, A recent report by the Consumer Reports National Research Center found that 85% of doctors surveyed had diagnosed one or more of their patients with a multi-drug resistant bacterial infection and that 93% of the doctors surveyed were concerned with the use of antibiotics in livestock production facilities for animals that are not sick; and

Whereas, USDA regulations to certify meat as organic require that animals be raised in living conditions accommodating their natural behavior, for example the ability to graze on pasture, be fed 100% organic feed and forage, and not be administered with antibiotics or hormones; and

Whereas, In order for produce to be certified as organic, USDA regulations require that produce be grown on soil where prohibited substances such as synthetic fertilizers and pesticides have not been applied for three years prior to harvest, and if a synthetic substance has been used to achieve a specific purpose, that substance must be approved in accordance with certain criteria related to its effects on human health and the environment; and

Whereas, Health Care Without Harm (HCHW) is an international coalition including hospitals, medical professionals, community groups, health-affected constituencies, and environmental health organizations, that encouraged the FDA to evaluate the use of medically important antibiotics in animals and animal feed to protect human health; and

Whereas, To encourage the opportunities for the healthy outcomes of the many New York City students receiving school breakfast and lunch meals, school food standards should be improved; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Education Department and the New York City Department of Education to use only meat, poultry, and produce that has been certified as organic by the United States Department of Agriculture.

Referred to the Committee on Education.

L.U. No. 300

By Council Member Greenfield:

Application No. 20165089 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 643 Broadway Holdings LLC, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 643 Broadway, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 301

By Council Member Greenfield:

Application No. C 150399 PPK submitted by the New York City Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of city-owned property located at 1 Clinton Street (aka 280 Cadman Plaza West), Block 239, Lot 16, Borough of Brooklyn, Community District 2, Council District 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

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L.U. No. 302

By Council Member Greenfield:

Application No. C 150400 PQQ submitted by the New York City Department of Citywide Administrative Services and the New York City Economic Development Corporation, pursuant to Section 197-c of the New York City Charter, for the acquisition of a condominium unit for use as a Brooklyn Public Library branch library, located at 1 Clinton Street (aka 280 Cadman Plaza West), Block 239, Lot 16, Borough of Brooklyn, Community District 2, Council District 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

L.U. No. 303

By Council Member Greenfield:

Application No. 20165204 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for 19 multiple dwellings known as Bronx Shepherds, Borough of the Bronx, Community Boards 2, 3, 5, and 9, Council Districts 14, 15, 16, 17 and 18.

Referred to the Committee on Land Use and the Subcommittee on Planning, Dispositions, and Concessions.

At this point the Speaker (Council Member Mark-Viverito) made the following announcements:

ANNOUNCEMENTS:

Thursday, November 12, 2015

Committee on AGING10:00 A.M.

Oversight - DFTA’s Home Care Program

Committee Room – 250 Broadway, 14th Floor Margaret Chin, Chairperson

Committee on HOUSING AND BUILDINGS 10:00 A.M.

Proposed Int 56-A - By Council Members Crowley, Koo, Palma, Rose, Rosenthal, Dickens, Rodriguez, Dromm, Maisel, Koslowitz, King, Van Bramer, Garodnick, Vacca, Richards, Chin, Mendez, Gentile, Mealy, Levine, Reynoso, Torres, Lancman, Vallone, Cabrera, Deutsch, Constantinides, Arroyo, Johnson, Gibson, Treyger, Barron, Ferreras, Wills, Espinal, Cohen, Cornegy, Cumbo, Miller and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to requiring photoelectric smoke alarms in residential buildings.

Committee Room – City Hall Jumaane D. Williams, Chairperson

Committee on TRANSPORTATION..... 10:00 A.M.

Oversight - Next Stop: Exploring Methods of Connecting Transportation Deserts

Int 964 - By Council Members Rodriguez, Chin, Crowley, Johnson, Koo, Mendez, Richards and Rose - A Local Law in relation to a study to be conducted by the department of transportation determining the feasibility of building a light rail system in the city of New York

Int 965 - By Council Members Rodriguez, Constantinides, Arroyo, Chin, Cumbo, Gentile, Johnson, Mendez, Palma, Richards and Rose - A Local Law to amend the New York city charter, in relation to a study regarding transportation deserts

Res 670 - By Council Members Miller, Eugene, Gentile, Johnson, Richards, Cohen, Wills and Van Bramer - Resolution calling upon the MTA to allow riders travelling within New York City limits to pay a fare for commuter rail equal to that of a MetroCard ride on New York City Transit subways and buses; and allow for free transfers between commuter rail and New York City Transit subways and buses.

Res 903 - By Council Member Rodriguez - Resolution calling upon the Metropolitan Transportation Authority to conduct a comprehensive study of unused and underutilized railroad rights of way in New York City for the purpose of evaluating the feasibility of increased passenger service along such corridors.

Council Chambers – City Hall Ydanis Rodriguez, Chairperson

Committee on PARKS AND RECREATION 10:00 A.M.

Int. 737 - By Council Members Levine, Cabrera, Constantinides, Johnson, Mendez, Rodriguez, Rosenthal and Garodnick - A Local Law to amend the administrative code of the city of New York, in relation to the creation of a task force to study the effect of shadows cast by large buildings over parkland.

Committee Room – 250 Broadway, 16th Floor Mark Levine, Chairperson

Committee on ENVIRONMENTAL PROTECTION 1:00 P.M.

Int 858 - By Council Members Menchaca, Rosenthal, Chin, Mendez, Rose, Lander, Reynoso, Levin and the Public Advocate (Ms. James) - A Local Law to amend the administrative code of the city of New York, in relation to reducing noise caused by sightseeing helicopters that meet federal noise reduction standards

Int 859 - By Council Members Menchaca, Rosenthal, Chin, Mendez, Rose, Lander, Reynoso, Levin and the Public Advocate (Ms. James) - A Local Law to amend the administrative code of the city of New York, in relation to reducing noise caused by sightseeing helicopters.

Res 892 - By Council Members Vallone, Chin, Koo, Rose and Constantinides - Resolution calling on the Federal Aviation Administration to amend the North Shore helicopter route to extend further west to cover Northeast Queens.

Council Chambers – City HallCosta Constantinides, Chairperson

Committee on SANITATION AND SOLID WASTE MANAGEMENT 1:00 P.M.

Oversight - DSNY’s 2015-16 Snow Plan

Int 9 - By Council Members Greenfield, Arroyo, Chin, Cohen, Constantinides, Cumbo, Dromm, Ferreras-Copeland, Gentile, Koo, Levin, Levine, Palma, Williams, Reynoso, Mendez and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to identifying pedestrian bridges for snow and ice removal by the city and establishing a plan for the removal of snow and ice from such bridges.

Int 714 - By the Public Advocate (Ms. James), and Council Members Gentile, Gibson, Koo, Rose and Ulrich - A Local Law to amend the administrative code of the city of New York, in relation to exempting or partially exempting seniors and certain persons with disabilities from penalties for failing to remove snow or ice from sidewalks, crosswalks, curbs and other locations.

Committee Room – 250 Broadway, 16th Floor Antonio Reynoso, Chairperson

Committee on **GENERAL WELFARE** jointly with the
 Committee on **VETERANS**..... **1:30 P.M.**
 Oversight - Update on the City’s Efforts to End Veterans’ Homelessness
 Committee Room – 250 Broadway, 14th FloorStephen Levin, Chairperson
Eric Ulrich, Chairperson

Monday, November 16, 2015

Committee on **HOUSING AND BUILDINGS** jointly with the
 Committee on **GENERAL WELFARE** **10:00 A.M.**
 Oversight - Supportive Housing in New York City
 Res 504 - By Council Members Levin, Chin, Eugene, Mendez, Palma, Torres,
 Rosenthal, Rodriguez, Reynoso, Lander and Menchaca - Resolution calling upon the
 Governor and Mayor to approve a fourth "New York/New York Agreement" to
 create permanent supportive housing.
 Council Chambers – City Hall..... Jumaane D. Williams, Chairperson
Stephen Levin, Chairperson

★ *Deferred*

Committee on **CIVIL RIGHTS**.....**1:00 P.M.**
 Agenda to be announced
 Committee Room – City HallDarlene Mealy, Chairperson

★ *Deferred*

Committee on **PUBLIC SAFETY**.....**1:00 P.M.**
 Agenda to be announced...
 Council Chambers – City Hall..... Vanessa L. Gibson, Chairperson

Tuesday, November 17, 2015

Subcommittee on **ZONING & FRANCHISES** **9:30 A.M.**
 See Land Use Calendar
 Committee Room – 250 Broadway, 16th FloorDonovan Richards, Chairperson

Committee on **JUVENILE JUSTICE**. **10:00 A.M.**
 Tour: Crossroads Juvenile Center
 Location: 17 Bristol Street
 Brooklyn, NY 11212

November 10, 2015

4000

Details Attached.....Fernando Cabrera Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING**

& MARITIME USES 11:00 A.M.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor Peter Koo, Chairperson

★ Deferred

~~Committee on **CULTURAL AFFAIRS, LIBRARIES**~~

~~**& INTERNATIONAL INTERGROUP RELATIONS 1:00 P.M.**~~

~~Agenda to be announced~~

~~Council Chambers – City Hall..... James Van Bramer, Chairperson~~

★ Deferred

~~Committee on **GOVERNMENTAL OPERATIONS 1:00 P.M.**~~

~~Agenda to be announced~~

~~Committee Room – 250 Broadway, 14th Floor Ben Kallos, Chairperson~~

Wednesday, November 18, 2015

★ Deferred

~~Committee on **CONSUMER AFFAIRS 10:00 A.M.**~~

~~Agenda to be announced~~

~~Committee Room – 250 Broadway, 14th Floor Rafael L. Espinal, Chairperson~~

Subcommittee on **PLANNING, DISPOSITIONS**

& CONCESSIONS 1:00 P.M.

See Land Use Calendar

Council Chambers – City Hall Inez Dickens, Chairperson

Thursday, November 19, 2015

Committee on **CIVIL SERVICE AND LABOR 10:00 A.M.**

Oversight - White-Collar Workers in the Private Sector: The Struggle for Worker Rights, Organizing and Unionization.

Committee Room – 250 Broadway, 16th Floor I. Daneek Miller, 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

★ Note Time Change and Topic Addition

Committee on FINANCE jointly with the

Committee on GOVERNMENTAL OPERATIONS..... **★ 1:00 P.M.**

★Oversight - The Department of Finance’s Annual Report on Outstanding Environmental Control Board Judgments.

Proposed Int 806-A - By Council Members Ferreras-Copeland, Constantinides, Dickens, Eugene and Gentile (in conjunction with the Mayor) - A Local Law to establish a temporary program to resolve outstanding penalties imposed by the environmental control board.

Int 807 - By Council Members Ferreras-Copeland, Kallos and Dickens - A Local Law to amend the New York city charter, in relation to environmental control board notices of violation issued generically to the "owner of" a business, organization or premises.

Int 810 - By Council Members Kallos and Gentile - A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to providing for the suspension and revocation of city-issued licenses and permits of persons with unpaid environmental control board penalties

Int 811 - By Council Members Kallos, Ferreras-Copeland and Gentile - A Local Law to amend the New York city charter, in relation to requiring agencies to amend notices of violations if they are aware of deficiencies therein.

Int 812 - By Council Members Kallos, Ferreras-Copeland and Gentile - A Local Law to amend the New York city charter, in relation to requiring the inclusion of unique identifiers for properties referenced in notices of violation referred to the environmental control board.

Committee Room – City Hall Julissa Ferreras-Copeland, Chairperson

..... Ben Kallos, Chairperson

Committee on HIGHER EDUCATION.....**1:00 P.M.**

Oversight - Student Unions and Non-Academic Spaces on CUNY Campuses: Luxury or Necessity?

Committee Room – 250 Broadway, 16th Floor Inez Barron, Chairperson

Friday, November 20, 2015

★ Deferred

~~Committee on **HEALTH**..... 1:00 P.M.~~

~~Int 973 — By Council Members Johnson, Chin, Constantinides, Cumbo, Espinal, Levin, Levine, Rose, Arroyo, Eugene, Gentile, Mendez, Palma and Richards — A Local Law to amend the New York city charter, in relation to establishing an office of comprehensive community health planning and an interagency coordinating council on health.~~

~~Int 974 — By Council Members Johnson, Chin, Constantinides, Cumbo, Espinal, Levin, Levine, Miller, Rose, Arroyo, Eugene, Gentile, Mendez, Palma, Richards and Wills — A Local Law to amend the administrative code of the city of New York, in relation to the creation of a health facilities map.~~

~~Council Chambers — City Hall..... Corey Johnson, Chairperson~~

Monday, November 23, 2015

★ Note Committee and Topic Additions

Committee on **TRANSPORTATION** jointly with the

★ Committee on **PUBLIC SAFETY** 10:00 A.M.

★ Proposed Int 601-A - By Council Members Vallone, Johnson, Koo, Ferreras-Copeland, Maisel, Ulrich, Koslowitz, Crowley, Cabrera, Arroyo, Cohen, Constantinides, Cornegy, Deutsch, Espinal, Greenfield, Lancman, Lander, Mendez, Rose, Vacca, Williams, Wills and Dromm - A Local Law to amend the administrative code of the city of New York, in relation to the regulation of the use of unmanned aerial vehicles in city airspace.

★ Int 614 - By the Public Advocate (Ms. James) and Council Members Koo, Rose, Mendez, Koslowitz and Reynoso - A Local Law to amend the administrative code of the city of New York, in relation to requiring the registration and insurance of unmanned aerial vehicles.

★ Proposed Res 57-A - By Council Members King, Mendez, Levin, Levine, Espinal, Maisel, Mealy, Reynoso and Rose - Resolution calling upon the New York State Legislature to pass and the Governor to sign A.2683/S.1841, an act that would amend the criminal procedure law in relation to protecting against unwarranted surveillance.

Council Chambers – City Hall Ydanis Rodriguez, Chairperson
..... Vanessa L. Gibson, Chairperson

Committee on YOUTH SERVICES 10:00 A.M.

Int 554 - By Council Members Eugene, Arroyo, Chin, Gentile, Gibson, Koo, Mendez and Rodriguez - A Local Law to amend the administrative code of the city of New York, in relation to training for certain employees of the city of New York on runaway and homeless youth and sexually exploited children.

Int 993 - By Council Members Levin and Eugene - A Local Law to amend the administrative code of the city of New York, in relation to changing the date of an annual report related to sexually exploited children.

Committee Room – 250 Broadway, 16th Floor Mathieu Eugene, Chairperson

★ Note Topic Additions

Committee on ENVIRONMENTAL PROTECTION1:00 P.M.

★ Int 359 - By Council Members Constantinides, Cornegy, Koo, Rose, Wills, Cumbo, Rodriguez, Mendez, Rosenthal, Deutsch, Treyger, Williams, Palma, King, Johnson, Levin, Dromm and Gentile - A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring a study of potential environmental justice communities in New York city and the publication of the results of such study on the city’s website.

★ Int 886 - By Council Members Barron, Mendez, Miller, Richards, Rose, Constantinides, Cumbo, Chin, Cabrera, Ferreras-Copeland, Cornegy, Williams, Menchaca, King, Arroyo, Rodriguez and Palma - A Local Law to amend the administrative code of the city of New York, in relation to identifying and addressing environmental justice issues.

Committee Room – City Hall Costa Constantinides, Chairperson

Tuesday, November 24, 2015

Stated Council Meeting..... Ceremonial Tributes – 1:00 p.m.

.....Agenda – 1:30 p.m.

November 10, 2015

4004

MEMORANDUM

October 26, 2015

TO: ALL COUNCIL MEMBERS

RE: TOUR BY THE COMMITTEE ON JUVENILE JUSTICE

Please be advised that all Council Members are invited to attend a tour:

**Crossroads Juvenile Center
17 Bristol Street
Brooklyn, NY 11212**

The tour will be on **Tuesday, November 17, 2015 beginning at 10:00 a.m.** A van will be leaving City Hall at **9:00 a.m. sharp.**

Council Members interested in riding in the van should call Beth Golub at **212-788-9100.**

Fernando Cabrera, Chairperson
Committee on Juvenile Justice

Melissa Mark-Viverito
Speaker of the Council

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the presence of two Council Members-elects who were sitting by the front dais: Joseph C. Borelli and Barry S. Grodenchik. She welcomed them to the Chambers as those assembled applauded.

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 Tuesday, November 24, 2015.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int Nos. 154-A, 210-A, 225-A, 462-A 644-B, and 712-A were signed into law by the Mayor on November 4, 2015 as, respectively, Local Laws Nos. 98, 99, 100, 101, 102, and 103 of 2015. Int Nos. 154-A, 462-A, and 712-A were adopted by the Council at the October 15, 2015 Stated Meeting and Int Nos. 210-A, 225-A, and 644-B were adopted by the Council at the October 29, 2015 State Meeting.