

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Wednesday, April 25, 2018, 1:56 p.m.

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

Council Members

Corey D. Johnson, *Speaker*

Adrienne E. Adams	Vanessa L. Gibson	Keith Powers
Alicia Ampry-Samuel	Mark Gjonaj	Antonio Reynoso
Diana Ayala	Barry S. Grodenchik	Donovan J. Richards
Inez D. Barron	Robert F. Holden	Carlina Rivera
Joseph C. Borelli	Ben Kallos	Ydanis A. Rodriguez
Justin L. Brannan	Peter A. Koo	Deborah L. Rose
Fernando Cabrera	Karen Koslowitz	Helen K. Rosenthal
Margaret S. Chin	Rory I. Lancman	Rafael Salamanca, Jr
Andrew Cohen	Bradford S. Lander	Ritchie J. Torres
Costa G. Constantinides	Stephen T. Levin	Mark Treyger
Robert E. Cornegy, Jr	Mark D. Levine	Eric A. Ulrich
Laurie A. Cumbo	Alan N. Maisel	Paul A. Vallone
Chaim M. Deutsch	Steven Matteo	James G. Van Bramer
Ruben Diaz, Sr.	Carlos Menchaca	Jumaane D. Williams
Daniel Dromm	I. Daneek Miller	Kalman Yeger
Rafael L. Espinal, Jr	Francisco P. Moya	
Mathieu Eugene	Bill Perkins	

Medical Leave: Council Member King.

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

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

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

INVOCATION

The Invocation was delivered by Very Reverend Father Nektarios Papazafiroopoulos, Archimandrite and Dean of Saint Demetrios Cathedral, 30-11 30th Drive, Astoria, NY 11102.

O Lord, the Creator of all that exists and Lover of mankind.
 You who are long suffering, most merciful, most compassionate
 who loves the just and are merciful to sinners.
 Who grants forgiveness to those who hate and wrong us.
 We beseech you, O merciful One to do good to those who do good.
 As we commemorate Greek Independence Day,
 let us remember those who have fought for our freedom
 and those who have given their life so that we may be free today.
 Remember Lord, your servants who have gathered here today in your Holy name,
 especially our Mayor and all the City Council Members
 and our Public Advocate
 who represent our great city of New York.
 Let us give thanks for being fortunate
 to live in this great country in the United States of America,
 a nation that has fought to provide freedom to all its citizens.
 We are also grateful to our ancestors of the Greek republic
 who introduced democracy and liberty for all
 as well as our ancestral region Macedonia.
 Let your countenance shine upon them.
 Grant eternal rest to those who are now departed from this world
 as a result of their struggle in the name of freedom.
 Remember, O Lord, those who still struggle
 in the name of freedom and are suffering in captivity.
 Lastly, we beseech you, O Lord, to enlighten our mind
 with the light of your knowledge
 and to guide us in the way of your commandments
 to return this fallen world to its original state of perfection.
 We ask this O Lord in your name
 For your name is Holy now and forever
 and unto the age of ages,
 Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of the following individuals:

John F. Gangemi, Sr., former Council Member-at-Large from Brooklyn in the 1970s, died on April 11, 2018 at the age of 79. The Speaker (Council Member Johnson) described him as an outstanding public servant who served his community for decades. He sent his thoughts and prayers to his family, friends and former colleagues.

Dave Buckel, 60, known as a prominent lawyer fighting for LGBT and environmental rights, took his own life in Prospect Park, Brooklyn on April 14, 2018. The Speaker (Council Member Johnson) sent his thoughts and prayers to his family, friends and former colleagues at Lambda Legal.

Dallas Police Officer Rogelio Santander, 27, died on April 25, 2018 from a gunshot wound sustained the day before. Officer Santander was shot while responding to a shoplifting incident at a Home Depot in Dallas. The Speaker (Council Member Johnson) sent out his thoughts and prayers to his family and friends.

ADOPTION OF MINUTES

Council Member Koslowitz moved that the Minutes of the Stated Meeting of March 7, 2018 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-39

Communication from the Mayor - Submitting the name of Allen P. Cappelli to the Council for its advice and consent regarding his appointment to the City Planning Commission, Pursuant to Sections 31 and 192 of the City Charter.

April 6, 2018

The Honorable Corey Johnson
Council Speaker
City Hall
New York, NY 10007

Dear Speaker Johnson:

Pursuant to Sections 31 and 192 of the New York City Charter, I am pleased to present the name of Allen Cappelli to the City Council for advice and consent in anticipation of his appointment to the City Planning Commission. Mr. Cappelli will succeed Fred Cerullo on the Commission and serve for the remainder of a five-year term expiring on June 30, 2021.

I send my thanks to you and all Council members for reviewing this City Planning Commission appointment.

Sincerely,

Bill de Blasio
Mayor

BDB:tf

cc: Allen Cappelli
Alicia Glen, Deputy Mayor of Housing and Economic Development
Marisa Lago, Chair, New York City Planning Commission
Jeff Lynch, Director, City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-40

Michael M. McSweeney, a candidate for re-appointment by the Council as City Clerk and Clerk of the Council pursuant to Section 48 of the New York City Charter.

(For text of report, please see the Report of the Committee on Rules, Privileges and Elections for M-40 & Res. No. 137 printed in these Minutes)

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-41

By Council Member Rodriguez:

Pursuant to Rule 11.20b of the Council and §20-226 or §20-225(g) 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 227 Dyckman Street, Borough of Manhattan, Community Board No. 12, Application No. 20185240 TCM shall be subject to review by the Council.

Coupled on Call-up vote.

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

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **50**.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Environmental Protection

Report for Int. No. 48-A

Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the creation of wind maps demonstrating wind energy generation potential within the city.

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 184), respectfully

REPORTS:

I. INTRODUCTION

On April 23, 2018, the Committee on Environmental Protection, chaired by Council Member Costa Constantinides, will hold a hearing for the purposes of conducting a vote on Proposed Int. No. 48-A and Proposed Int. No. 50-A, which promotes onshore wind energy; and Proposed Int. No. 96-A, which promotes energy efficiency; Proposed Int. No. 598-A, which requires all city-owned buildings be completely powered by green energy sources by 2050; and Proposed Res. No. 176, which supports the New York State Governor's commitment to and facilitation of large-scale offshore wind projects. The Committee previously held a hearing on these bills on February 26, 2018, and received testimony from the Mayor's Office of Sustainability, wind energy experts, wind turbine manufacturers, advocacy organizations and interested members of the public. More information about these bills is available with the materials for that hearing, which can be accessed online at <http://legistar.council.nyc.gov/>.

II. PROPOSED INT. NO. 48-A

Proposed Int. No. 48-A This bill would require each long-term sustainability plan required by the charter to contain a wind resource assessment. The wind resource assessment would identify and map the areas of the city where wind resources are available for the effective utilization of a wind turbine appurtenant to a building that has a height of 100 feet or more, or appurtenant to a building of any height located in a waterfront area or where

wind resources are available for freestanding wind turbines in a waterfront area. The assessment would be made publicly available online together with a description of the methodology used to conduct such assessment.

III. PROPOSED INT. NO. 50-A

Proposed Int. No. 50-A would require enactment of a local law addressing installation, maintenance and removal of small wind turbines in suitable areas of the Green Zone in New York City. The local law would regulate wind turbines designed to generate no more than 100 kW (105 Btu/h) of electricity along with supporting structures. The local law would cover design standards, wind speed, brakes and locks, visual appearance, signal interference, noise, shadow and setbacks.

IV. PROPOSED INT. NO. 96-A

Proposed Int. No. 96-A would allow residential cooperatives to file a single consolidated energy efficiency report where the cooperative covers multiple buildings on different tax block numbers. Currently, the cooperative must file an energy efficiency report for each building if buildings are on multiple buildings on different tax block numbers.

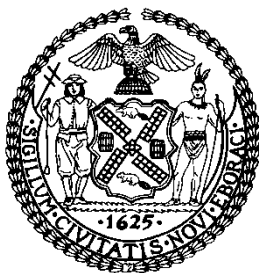
V. PROPOSED INT. NO. 598-A

Proposed Int. No. 598-A would require that city-owned buildings be completely powered by green energy sources by 2050. This bill would also require the commissioner of Citywide Administrative Services to report concerning the implementation of this requirement every ten years.

VI. PROPOSED RES. NO. 176

Proposed Res. No. 176 supports the New York State Governor's commitment to and facilitation of large-scale offshore wind projects. The State has determined that power from offshore wind projects off New York's Atlantic Ocean coast could become a major source of renewable energy in the decades ahead. In August 2016, Governor Cuomo announced the establishment of New York's Clean Energy Standard which requires that 50% of New York's electricity come from renewable energy sources like wind and solar by 2030. In September 2017, the State urged the federal government to identify at least four new Wind Energy Areas (WEAs) off New York's Atlantic Coast, and to conduct lease auctions for these WEAs. These actions will help New York advance its goals of reducing greenhouse gas emissions 40% below 1990 levels, and meet New York's Clean Energy Standard by 2030.

(The following is the text of the Fiscal Impact Statement for Int. No. 48-A)



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

PROPOSED INTRO. NO. 48-A

COMMITTEE: ENVIRONMENTAL PROTECTION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the creation of wind maps demonstrating wind energy generation potential within the city

SPONSORS: Council Member Constantinides, Espinal, Brannan, Adams, Diaz, Torres, Rosenthal and Gjonaj

SUMMARY OF LEGISLATION: Proposed Intro. No. 48-A would require the Mayor to include a wind resource assessment within the City’s Long-term Sustainability Plan to identify and map areas of the City where wind resources could be effectively used on buildings taller than 100 feet or in waterfront areas identified in the Zone Green Text Amendment.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Mayor’s Office of City Legislative Affairs

ESTIMATE PREPARED BY: Jonathan K. Seltzer, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, Finance Division
Cirilhen Francisco, Unit Head, Finance Division
Rebecca Chasan, Assistant Counsel, Finance Division.

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 48 on January 31, 2018 and referred to the Committee on Environmental Protection. The Committee considered the legislation at a hearing on February 26, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 48-A, will be considered by the Committee on April 23, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 48-A will be submitted to the full Council for a vote on April 25, 2018.

DATE PREPARED: April 19, 2018.

(For text of Int. Nos. 50-A, 96-A, and 598-A with their Fiscal Impact Statements, please see the Reports of the Committee on Environmental Protection for Int. No. 50-A, 96-A, and 598-A, respectively; for text

of Res. No. 176, please see the Report of the Committee on Environmental Protection for Res. No. 176 printed in the voice-vote section of these Minutes; for text of Int. No. 48-A, please see below)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 48-A:)

Int. No. 48-A

By Council Members Constantinides, Espinal, Brannan, Adams, Diaz, Torres, Rosenthal, Gjonaj, Menchaca and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of wind maps demonstrating wind energy generation potential within the city

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-806 to read as follows:

§ 24-806 Wind resource assessment. The mayor shall include in each long-term sustainability plan required by subdivision e of section 20 of the charter, a wind resource assessment to identify and map the areas of the city where wind resources are available for the effective utilization of (i) a wind turbine appurtenant to a building that has a height of 100 feet or more, (ii) a wind turbine appurtenant to a building of any height located in a waterfront area or (iii) where wind resources are available for freestanding wind turbines in a waterfront area. Such assessment shall be made publicly available online together with a description of the methodology used to conduct such assessment. For the purposes of this section, the term “waterfront area” shall have the meaning ascribed to such term in the New York city zoning resolution.

§ 2. This local law takes effect immediately.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DONOVAN J. RICHARDS, RAFAEL L. ESPINAL, Jr., KALMAN YEGER; Committee on Environmental Protection, April 23, 2018.

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

Report for Int. No. 50-A

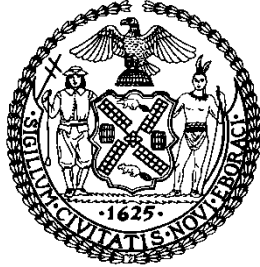
Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the New York city noise control code, the administrative code of the city of New York and the New York city building code, in relation to small wind turbines

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 185), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 48-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 50-A:



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

PROPOSED INTRO. NO. 50-A

COMMITTEE: ENVIRONMENTAL PROTECTION

TITLE: A Local Law to amend the New York city noise control code, the administrative code of the city of New York and the New York city building code, in relation to small wind turbines

SPONSORS: Council Members Constantinides, Espinal, Adams, Diaz, Torres, Gjonaj and Chin

SUMMARY OF LEGISLATION: Proposed Intro. No. 50-A would establish the design, installation and placement standards for small wind turbines in the City.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law, except that the commissioners of the Department of Buildings (DOB) and Department of Environmental Protection (DEP) may take all actions necessary, including the promulgation of rules, to implement this local law on such effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 50 on January 31, 2018 and referred to the Committee on Environmental Protection. The Committee considered the legislation at a hearing on February 26, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 50-A, will be considered by the Committee on April 23, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 50-A will be submitted to the full Council for a vote on April 25, 2018.

DATE PREPARED: April 19, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 50-A:)

Int. No. 50-A

By Council Members Constantinides, Espinal, Adams, Diaz, Torres, Gjonaj, Chin, Menchaca, Rivera and Kallos.

A Local Law to amend the New York city noise control code, the administrative code of the city of New York and the New York city building code, in relation to small wind turbines

Be it enacted by the Council as follows:

Section 1. Subchapter 5 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-232.1 to read as follows:

§ 24-232.1 Small wind turbines. No person shall cause or permit operation of a small wind turbine, as such term is defined in section 3113.2 of the New York city building code, so as to create a sound level in excess of 5 db(A) above the ambient sound level, as measured at the property line or at an elevated receptor of the property containing the nearest occupied building.

§ 2. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 319 to read as follows:

**ARTICLE 319
 MAINTENANCE AND REMOVAL OF SMALL WIND TURBINES**

§ 28-319.1 Maintenance. The owner of a small wind turbine or small wind turbine tower, as such terms are defined in section 3113.2 of the New York city building code, shall maintain such turbine and tower in accordance with department rules.

§ 28-319.2 Removal. The owner of a small wind turbine, as such term is defined in section 3113.2 of the New York city building code, shall remove such turbine when (i) the time elapsed since installation exceeds the manufacturer's suggested useful life of such turbine or (ii) such turbine has been continuously inoperable for 12 months or more, whichever occurs sooner, provided that the commissioner shall by rule establish a timeframe for removing small wind turbines that do not have manufacturer's suggested useful lives.

§ 3. Chapter 31 of the New York city building code is amended by adding a new section BC 3113 to read as follows:

**SECTION BC 3113
SMALL WIND TURBINES**

3113.1 General. *In addition to other applicable requirements in this code, other law or rule, and established by the commissioner, small wind turbines shall be designed and constructed in accordance with this section.*

3113.2 Definitions. *The following words and terms shall for the purposes of this section have the meanings shown herein.*

SMALL WIND TURBINE. *A turbine with a swept area smaller than 200 m² that generates a voltage below 1000 V (AC) or 1500 V (DC).*

SMALL WIND TURBINE TOWER. *A structure that supports a small wind turbine.*

3113.3 Design standards. *A small wind turbine shall be designed in accordance with standards adopted by rules of the commissioner. Such standards shall include but need not be limited to standards relating to the design of small wind turbines that are developed by the American Wind Energy Association, the New York State Energy Research and Development Authority, the California Energy Commission, the Small Wind Certification Council, the British Wind Energy Association, the International Electrotechnical Commission, the National Renewable Energy Laboratory, or the Underwriters Laboratory.*

3113.4 Wind speed. *A small wind turbine shall be designed to withstand winds of up to and including 130 mph (58.1 m/s) or such higher wind load as may be specified in this code or the design standard for such turbine pursuant to Section 3113.3.*

3113.5 Brakes and locks. *Where deemed necessary by the commissioner, a small wind turbine shall be equipped with a redundant braking system and a passive lock, including aerodynamic overspeed controls and mechanical brakes.*

3113.5.1 Locking before hurricane or strong wind conditions. *If a hurricane or strong wind conditions are expected, the commissioner may order that small turbines equipped with passive locks be stopped and locked.*

3113.6 Visual appearance. *A small wind turbine shall be white, off-white, grey, or another non-obtrusive color specified by the commissioner.*

3113.7 Lighting. *A small wind turbine shall not be artificially lighted.*

Exception: *Lighting that is required by this code or other applicable laws or rules, provided that such lighting is shielded in accordance with rules promulgated by the commissioner.*

3113.8 Access. *Access to a small wind turbine shall be limited as follows:*

- 1. Access to electrical components of a small wind turbine shall be prevented by a lock.*
- 2. A small wind turbine tower shall not be climbable, except by authorized personnel, up to a height of 10 feet (3048 mm) measured from the base of such tower.*

3113.9 Noise. *A small wind turbine shall be designed in accordance with applicable sections of the New York city noise control code.*

3113.10 Shadow flicker. *The commissioner shall by rule establish shadow flicker limitations for small wind turbines for the purpose of limiting, to the extent practicable, such flicker on buildings adjacent to such turbines.*

3113.11 Signal interference. *The commissioner shall establish rules governing small wind turbines for purpose of minimizing, to the extent practicable, interference by such turbines with radio, telephone, television, cellular or other similar signals.*

3113.12 Setback. *No part of a small wind turbine or small wind turbine tower shall be located within a horizontal distance of a property line that is equal or less than one-half the height of such turbine, including such tower, measured from the base of such tower or, if there is no such tower, the base of such turbine.*

Exception: *Turbines or towers for which each owner of property adjacent to such property line has entered into a written agreement providing that such turbine or tower or a part thereof may be located closer to such property line than this section allows.*

§ 4. This local law takes effect 180 days after it becomes law, except that the commissioner of buildings and the commissioner of environmental protection may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DONOVAN J. RICHARDS, RAFAEL L. ESPINAL, Jr., KALMAN YEGER; Committee on Environmental Protection, April 23, 2018.

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

Report for Int. No. 96-A

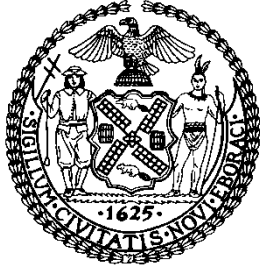
Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to allowing residential cooperatives to consolidate required energy efficiency reports

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 250), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 48-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No.96-A:



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

PROPOSED INTRO. NO. 96-A

COMMITTEE: ENVIRONMENTAL PROTECTION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to allowing residential cooperatives to consolidate required energy efficiency reports

SPONSORS: Council Members Koo, Brannan, Yeger, Chin and Constantinides

SUMMARY OF LEGISLATION: Proposed Intro. No. 96-A would allow a residential cooperative that spans multiple buildings on different tax block numbers to submit a single energy efficiency report to the Department of Buildings (DOB) rather than having to file a different report for each building, as is required now.

EFFECTIVE DATE: This local law would take effect 180 days after it becomes law, except that the Commissioner DOB may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because it authorizes private corporations to report in a different manner and imposes no new obligations on the City.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Jonathan K. Seltzer, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 96 on January 31, 2018 and referred to the Committee on Housing and Buildings. The legislation was re-referred to the Committee on Environmental Protection on February 12, 2018. The Committee on Environmental Protection considered the legislation at a hearing on February 26, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 96-A, will be considered by the Committee on April 23, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 96-A will be submitted to the full Council for a vote on April 25, 2018.

DATE PREPARED: April 19, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 96-A:)

Int. No. 96-A

By Council Members Koo, Brannan, Yeger, Chin, Constantinides, Menchaca, Koslowitz, Rivera and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to allowing residential cooperatives to consolidate required energy efficiency reports

Be it enacted by the Council as follows:

Section 1. Section 28-308.1 of the administrative code of the city of New York is amended by adding the following definition in appropriate alphabetical order to read as follows:

COOPERATIVE CORPORATION. A corporation governed by the requirements of the state cooperative corporation law or general business law that, among other things, grants persons the right to reside in a cooperative apartment, that right existing by such person’s ownership of certificates of stock, proprietary lease, or other evidence of ownership of an interest in such entity.

§ 2. Section 28-308.4.1 of the administrative code of the city of New York, as added by local law number 87 for the year 2009, is amended to read as follows:

§ 28-308.4.1 Due dates. The first energy efficiency reports for covered buildings in existence on the effective date of this article and for new buildings shall be due, beginning with calendar year 2013, in the calendar year with a final digit that is the same as the last digit of the building’s tax block number, as illustrated in the following chart:

Last digit of tax block number	0	1	2	3	4	5	6	7	8	9
Year first EER is due	2020	2021	2022	2013	2014	2015	2016	2017	2018	2019

Owners of covered buildings (i) that are less than 10 years old at the commencement of their first assigned calendar year or (ii) that have undergone substantial rehabilitation, as certified by a registered design professional, within the 10 year period prior to any calendar year in which an energy efficiency report is due, such that at the commencement of such calendar year all of the base building systems of such building are in compliance with the New York city energy conservation code as in effect for new buildings constructed on and after July 1, 2010, or as in effect on the date of such substantial rehabilitation, whichever is later, may defer submitting an energy efficiency report for such building until the tenth calendar year after such assigned calendar year.

[Exception] *Exceptions:*

1. The first due dates for city buildings shall be in accordance with a staggered schedule, commencing with calendar year 2013 and ending with calendar year 2022 for buildings in existence on the effective date of this

article, to be submitted by the department of citywide administrative services to the department on or prior to December 31, 2011. A city building constructed after the effective date of this article shall be added to such schedule within 10 years after the issuance of the first certificate of occupancy for such building. Copies of energy efficiency reports submitted to the department with respect to city buildings that are not submitted by the department of citywide administrative services shall also be submitted to the department of citywide administrative services.

2. *A cooperative corporation that owns multiple covered buildings located on different tax block numbers, that is required to file an energy efficiency report for more than one covered building in different calendar years, may consolidate all such energy efficiency reports into one report, disaggregated by covered building, due no later than the year in which the last energy efficiency report would be due, which shall be accepted by the department in satisfaction of the requirements of this section for each covered building included in such consolidated report.*

§ 3. This local law takes effect 180 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DONOVAN J. RICHARDS, RAFAEL L. ESPINAL, Jr., KALMAN YEGER; Committee on Environmental Protection, April 23, 2018.

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

Report for Int. No. 598-A

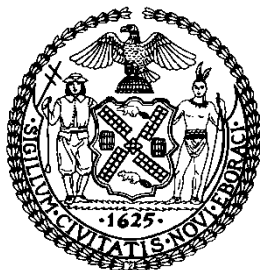
Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring that all city-owned buildings be powered by green energy sources by 2050

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on February 15, 2018 (Minutes, page 891), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 48-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 598-A:



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

PROPOSED INTRO. NO. 598-A

COMMITTEE: ENVIRONMENTAL PROTECTION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring that all city-owned buildings be powered by green energy sources by 2050.

SPONSORS: The Speaker (Council Member Johnson) Chin, Constantinides and Espinal

SUMMARY OF LEGISLATION: Proposed Intro. No. 598-A would require that city-owned buildings be completely powered by green energy sources by 2050. Furthermore, this bill would require the Department of Citywide Administrative Services (DCAS) to report to the Council and make on a publicly available website information concerning the implementation of this requirement every ten years.

EFFECTIVE DATE: This local law takes effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be some savings achieved as a result of switching to renewable energy as required by this legislation, but the total savings is dependent on future green technology purchase decisions yet to be determined.

IMPACT ON EXPENDITURES: It is anticipated there would be some impact on expenditures in the future, however, because the city can pursue several pathways, the cost will fluctuate with respect to green technologies and different opportunities to achieve the city's energy goals by the year 2050.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Jonathan K. Seltzer, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 598 on February 15, 2018 and referred to the Committee on Environmental Protection. The Committee considered the legislation at a hearing on February 26, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 598-A, will be considered by the Committee on April 23, 2018. Upon a successful vote by the Committee, Proposed Intro. No. 598-A will be submitted to the full Council for a vote on April 25, 2018.

DATE PREPARED: April 16, 2018.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 598-A:)

Int. No. 598-A

By The Speaker (Council Member Johnson) and Council Members Chin, Constantinides, Espinal, Menchaca, Rivera and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that all city-owned buildings be powered by green energy sources by 2050

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-211 to read as follows:

§ 4-211 *Green energy in city-owned buildings. a. As used in this section:*

City-owned building. The term “city-owned building” shall have the meaning ascribed to the term “city building” in section 28-308.1 of the code.

Green energy source. The term “green energy source” means a source of energy that is:

1. A qualified energy resource, as such term is defined in section 45 of title 26 of the United States code in effect on January 1, 2017;

2. A source that is determined to be renewable by the head of an office or agency designated by the mayor;
or

3. A source that is determined by such head to have (i) a positive environmental impact or (ii) a substantially lower negative environmental impact than fossil fuel-based energy sources.

Green energy system. The term “green energy system” means a system that generates energy (i) substantially from one or more green energy sources, in accordance with rules promulgated by an office or agency designated by the mayor, or (ii) wholly from one or more green energy sources.

b. 1. On and after January 1, 2050, 100 percent of electricity use by city-owned buildings shall be (i) generated from a green energy system owned or installed by the city or (ii) purchased by the city and generated from a green energy system.

c. Every 10 years after the effective date of the local law that added this section, the commissioner of citywide administrative services shall electronically submit to the mayor and speaker of the council, and make publicly available online, a report concerning the implementation of this section, including, but not limited to, the following:

- 1. The percentage of electricity used by city-owned buildings that comes from green energy sources;*
- 2. Any difficulties in complying with this section and recommendations for addressing such difficulties;*
- 3. The types of green energy sources utilized for electricity used by city-owned buildings and recommendations for expanding or limiting the definition of green energy sources in this section, if any;*
- 4. The costs attributable to complying with this section; and*
- 5. Reductions in greenhouse gas emissions attributable to complying with this section and any other environmental or electricity-related benefits attributable to such compliance.*

d. The mayor shall include in each long-term sustainability plan required by subdivision e of section 20 of the charter a report analyzing subjects including, but not limited to, the following:

- 1. Compliance with the requirements of this section;*
- 2. The feasibility of using green energy systems for providing building heating and hot water;*
- 3. The amount and percentage of building heating and hot water provided from green energy systems;*
- 4. The types of green energy sources currently being used to provide building heating and hot water and the limitations to expanding these sources to additional buildings;*
- 5. Identification of building heating and hot water systems or technologies using green energy systems, the current limitations of building heating and hot water systems or technologies and a timeline for when such systems or technologies may be commercially viable for installation in city-owned buildings;*
- 6. The costs associated with providing building heating and hot water from green energy systems;*

7. *The risks associated with providing building heating and hot water from green energy systems; and*
 8. *Reductions in greenhouse gases and any other environmental or energy benefits associated with providing building heating and hot water from green energy systems.*
 § 2. This local law takes effect immediately.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DONOVAN J. RICHARDS, RAFAEL L. ESPINAL, Jr., KALMAN YEGER; Committee on Environmental Protection, April 23, 2018.

On motion of the Speaker (Council Member Johnson), 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. 52

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180112 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 5d, by changing from an R8B District to an R8A District property bounded by a line 100 feet easterly of Amsterdam Avenue, a line midway between West 109th Street and West 108th Street, a line 100 feet westerly of Columbus Avenue, and West 108th Street, Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 52 & Res. No. 318 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 53

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180113 ZRM submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 53 & Res. No. 319 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 54

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180114 HAM submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26) as an Urban Development Action Area and for the approval of an Urban Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of property located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26), Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 54 & Res. No. 320 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO

REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr;
Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 55

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180130 HAX submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 335-349 St. Ann's Avenue and 542-544 East 142nd Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50) as an Urban Development Action Area and for the approval of an Urban Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of such property, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 55 & Res. No. 321 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr;
Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 56

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180131 ZMX submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:, by changing from an R6 District to an R7D District and establishing within the proposed R7D District a C1-4 District, for property bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1310), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 56 & Res. No. 322 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 57

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180132 ZRX submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1310), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 57 & Res. No. 323 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified,

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

Report for L.U. No. 58

Report of the Committee on Land Use in favor of approving Application No. C 20185228 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2130, Lot 44, Community District 12, Council District 10.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1310) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 12

20185228 HAM

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 2130, Lot 44, Community District 12, Borough of Manhattan, Council District 10.

INTENT

To approve the new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for the exemption area, which contains one multiple dwelling that provides homeownership housing for low-income families and terminate the prior exemption.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: One

Witnesses Against: One

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2018

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:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None

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

Res. No. 315

Resolution approving a new real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 2130, Lot 44, and termination of the prior exemption, Community District 12, Borough of Manhattan, (L.U. No. 58; Non-ULURP No. 20185228 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on March 7, 2018 its request dated March 5, 2018 that the Council approve a new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 2130, Lot 44, and termination of the prior exemption, Community District No. 12, Borough of Manhattan, Council District No. 10 (the "Exemption Area");

WHEREAS, HPD's Request is related to previously approved City Council Resolution No. 973 of 1991, L.U. No. 309 (the "Prior Resolution");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on March 27, 2018;

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. "Effective Date" shall mean April 1, 2009.
 - b. "Exemption Area" shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2130, Lot 44 on the Tax Map of the City of New York.
 - c. "Expiration Date" shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- d. "HDFC" shall mean 500 West 174th Street Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. "Owner" shall mean the HDFC.
 - h. "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on May 7, 1991 (Resolution No. 973).
 - i. "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
 5. In consideration of the New Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the New Exemption shall remain in effect, shall waive

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 59

Report of the Committee on Land Use in favor of approving Application No. C 20185227 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 4329, Lot 1, Community District 5, Council District 42.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1311) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 5

20185227 HAK

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 4329, Lot 1, Community District 5, Borough of Brooklyn, Council District 42.

INTENT

To approve the new real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law for the exemption area, which contains one multiple dwelling that provides homeownership housing for low-income families and terminate the prior exemption.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** April 17, 2018

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:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None

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

Res. No. 316

Resolution approving a new real property tax exemption pursuant to Article XI of the Private Housing Finance Law and termination of the prior exemption for property located at Block 4329, Lot 1, in Community District 5, Borough of Brooklyn, (L.U. No. 59; Non-ULURP No. 20185227 HAK).

By Council Members Salamanca and Kallos.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on March 6, 2018 its request dated March 2, 2018 that the Council approve a new exemption from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption Request") for property located at Block 4329, Lot 1, and termination of the prior exemption, Community District No. 5, Borough of Brooklyn, Council District No. 42 (the "Exemption Area");

WHEREAS, HPD's Request is related to previously approved City Council Resolution No. 2387 of 1997, L.U. No. 1325 (the "Prior Resolution");

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on March 27, 2018;

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean January 1, 2011.
 - b. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4329, Lot 1 on the Tax Map of the City of New York.
 - c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. “HDFC” shall mean 721 Van Siclen Avenue Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - g. “Owner” shall mean the HDFC.
 - h. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on May 28, 1997 (Resolution No. 2387).
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior

written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

- b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDPC, the Owner, or any past owner to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

Reports of the Committee on Rules, Privileges and Elections

At this point, the Speaker (Council Member Johnson) announced that the following item had been **preconsidered** by the Committee on Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-40

Report of the Committee on Rules, Privileges and Elections in favor of approving a the re-appointment of MICHAEL M. MCSWEENEY as City Clerk and Clerk of the Council.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Council communication was referred on April 25, 2018 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Topic: *New York City Clerk – (Council candidate for re-appointment)*

- **Michael M. McSweeney [Preconsidered M-40]**

New York City Charter (“*Charter*”) § 48 states that the Council appoints a Clerk who shall be the City Clerk and Clerk of the Council. The Clerk shall hold office for six years and until such Clerk’s successor shall be appointed and has qualified. The City Clerk may be removed on charges by a two-thirds vote of all the Council members, subject, however, to judicial review. [*New York City Charter* §48(a).] The City Clerk’s current salary is \$ 221,754.00.

According to the *Charter*, the City Clerk shall keep the record of the proceedings of the Council and shall also keep a separate record of all the local laws of the City in a book to be provided for that purpose, with proper indices, which book shall be deemed a public record of such local laws, and each local law shall be attested by said Clerk. [*New York City Charter* §48(a).]

The *Charter* also states that it shall be the duty of the City Clerk to keep open for inspection at all reasonable times the records and minutes of the proceedings of the Council. The City Clerk shall keep the seal of the City, and his or her signature shall be necessary to all grants and other documents, except as otherwise provided by law. In the absence of the Clerk by sickness or otherwise, the First Deputy Clerk shall be vested and possessed of all the rights and charged with all the duties by law imposed on said Clerk. [*New York City Charter* §48(b).]

Also, every lobbyist shall annually file with the City Clerk, on forms prescribed by the City Clerk, a statement of registration for each calendar year; provided, however, that the filing of such statement of registration shall not be required of any lobbyist who in any year does not expend, incur or receive an amount in excess of two thousand dollars of reportable compensation and expenses. Such statements of registration shall be kept in electronic form in the office of the City Clerk and shall be available for public inspection.¹ [*New York City Administrative Code* § 3-213(a)(1).] The City Clerk shall have the power to subpoena witnesses and records, issue advisory opinions to those under its jurisdiction, conduct any investigation necessary to carryout the provisions of the lobbying regulation subchapter, prepare uniform forms for the statements and reports. [*New York City Administrative Code* § 3-212(a).] The City Clerk is charged with the duty of reviewing all statements and reports for violations, and it shall be his duty, if he deems such to be willful, to report such determination to the Department of Investigation. Where the City Clerk receives a report or otherwise suspects that a criminal violation of law, other than a violation of the lobbying regulation subchapter, has been or may have been committed, the City Clerk shall report any information relating thereto to the Department of Investigation. [*New York City Administrative Code* § 3-223(g).]

Some of the other functions of the City Clerk include: attesting to leases and deeds of city property, agreements, bonds, tax notes and other forms of obligations of the City; being in charge of all papers and documents of the City except as otherwise provided by law, including executive and administrative orders of the Mayor, oaths of office of all City employees, City Marshal bonds, referendum petitions; qualifying all Commissioners of Deeds; serving as administrator of the Marriage License Bureau; certifying marriage records; serving as registrar of clergymen and officials authorized to solemnize marriages within the City; and maintaining domestic partnership records.²

It should also be noted that the Clerk is responsible for maintaining registries of businesses and inhabitants during officially declared public health emergencies. [*New York City Administrative Code* § 17-105.]

If re-appointed, Mr. McSweeney, a resident of Queens, and a registered member of the Democratic Party,

¹ In addition, the Office of the City Clerk maintains a lobbyist search database which is accessible on-line at: www.nyc.gov/lobbyistsearch/. The database provides detailed information about lobbyist registered with the City of New York, and their clients. Updates are scheduled at least four times a year on the twenty-fifth business day following the deadline of the annual registration and quarterly filing periods. Such deadlines are April 15 for the first quarter, June 15 for the second quarter, October 15 for the third quarter, and January 15 for the annual registration and the previous year’s fourth quarter.

² The City Clerk’s duties are summarized on the City Clerk’s website and are outlined in various sections of the *New York City Charter* and *New York City Administrative Code*. [<http://www.cityclerk.nyc.gov/html/about/about.shtml>]

will be eligible to serve a six-year term that will begin on May 13, 2018 and expires on May 12, 2024. A copy of Mr. McSweeney's résumé and report/resolution is annexed to this briefing paper.

PROJECT STAFF

Charles W. Davis III, Director
 Alycia Vassell, Legislative Investigator
 Andre Johnson Brown, Legislative Investigator

(After interviewing the candidate and reviewing the submitted material, the Committee decided to approve the re-appointment of the nominee. For the decision on nominee Michael M. McSweeney [M-40], please see immediately below:)

Pursuant to § 48 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Council of Michael M. McSweeney as City Clerk and Clerk of the Council to serve for a six-year term that will begin on May 13, 2018 and expires on May 12, 2024.

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

Res. No. 317

RESOLUTION APPROVING THE RE-APPOINTMENT BY THE COUNCIL OF MICHAEL M. MCSWEENEY AS CITY CLERK AND CLERK OF THE COUNCIL.

By Council Member Koslowitz.

RESOLVED, that pursuant to § 48 of the *New York City Charter*, the Council does hereby approve the re-appointment of Michael M. McSweeney as City Clerk and Clerk of the Council to serve for a six-year term that will begin on May 13, 2018 and expires on May 12, 2024.

KAREN KOSLOWITZ, *Chairperson*; MARGARET S. CHIN, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., RORY I. LANCMAN, MARK TREYGER, ADRIENNE E. ADAMS, THE MINORITY LEADER (STEVEN MATTEO), THE SPEAKER (COUNCIL MEMBER COREY D. JOHNSON); Committee on Rules, Privileges and Elections, April 25, 2018.

On motion of the Speaker (Council Member Johnson), 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 Women

At this point, the Speaker (Council Member Johnson) announced that the following item had been **preconsidered** by the Committee on Women and had been favorably reported for adoption.

Report for Int. No. 858

Report of the Committee on Women in favor of approving and adopting a Local Law to amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, and to amend a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, in relation to certain amendments.

The Committee on Women, to which the annexed preconsidered proposed local law was referred on April 25, 2018, respectfully

REPORTS:

I. INTRODUCTION

On Monday, April 23, 2018, the Committee on Women, chaired by Council Member Helen Rosenthal, held a hearing to consider Preconsidered Int. No. 858, sponsored by Council Member Rosenthal, which would clarify when climate surveys will be made available as well as who is responsible for approving training.

II. PRECONSIDERED INT. NO. 858

Section one of the legislation clarifies that participatory teaching as described in the definition of the term “interactive training” shall be determined by the Department of Citywide Administrative Services.

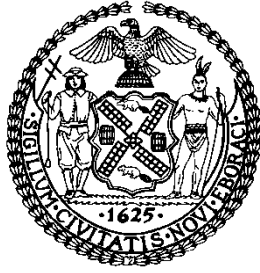
Section two of the legislation would require that climate surveys be available to all agencies for dissemination to agency employees on or before September 30, 2018.

Finally, section three of the legislation would establish that section one of this local law will go into effect on the same date as a local law amending the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, takes effect, and that section two of this local law takes effect on the same date as a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, takes effect.

UPDATE

On April 23, 2018, the Committee on Women adopted this legislation by a vote of 5 in the affirmative, none in the negative and no abstentions. Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 858:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PRECONSIDERED INTRO. NO: 858
COMMITTEE: Women

TITLE: A Local Law to amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, and to amend a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, in relation to certain amendments

SPONSOR: Council Member Rosenthal

SUMMARY OF LEGISLATION: This Preconsidered Introduction would transfer responsibility for determining what constitutes a participatory demonstration training, as stipulated in Intro. No. 612-A, to the Department for Citywide Administrative Services (DCAS) from the City Commission on Human Rights. The Preconsidered Introduction also adjusts an error in Intro. No. 664-A regarding the required available date for the climate survey, which is corrected to September 30, 2018.

EFFECTIVE DATE: Section 1 of this local law would take effect on the same date as a local law proposed in introduction number 612-A for the year 2018, takes effect. Section 2 of this local law would take effect on the same date as a local law proposed in introduction number 664-A for the year 2018, takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2020

FISCAL IMPACT STATEMENT:

	Effective FY19	FY Succeeding Effective FY20	Full Fiscal Impact FY20
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenses resulting from the enactment of this legislation since DCAS could make the assessment using existing resources. The other changes are technical corrections that make no substantive alteration to the proposed local laws.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
 Department for Citywide Administrative Services

ESTIMATE PREPARED BY: Daniel Kroop, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Dohini Sompura, Unit Head
Rebecca Chasan, Counsel

LEGISLATIVE HISTORY: The Committee on Women (Committee) will hold a public hearing and vote on this Preconsidered Introduction on April 23, 2018. Upon a successful vote by the Committee, this Preconsidered Introduction will be introduced to the full Council and be submitted to the full Council for a vote on April 25, 2018.

DATE PREPARED: April 19, 2018.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 858:)

Preconsidered Int. No. 858

By Council Members Rosenthal, Rivera, Kallos, Ayala and Ampry-Samuel.

A Local Law to amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, and to amend a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, in relation to certain amendments

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 815.1 of the New York city charter, as added by a local law amending the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, is amended to read as follows:

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

Agency. The term “agency” has the same meaning as such term is defined in section 1150 and shall include the offices of the borough presidents, the comptroller and the public advocate.

Interactive training. The term “interactive training” means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, computer or online training program or other participatory demonstrations as determined by the [commission] *department*. However, such “interactive training” is not required to be live or facilitated by an in-person instructor in order to satisfy the provisions of this subdivision.

§ 2. Subdivision c of a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, is amended to read as follows:

c. The department shall make the climate survey available to all agencies for dissemination to agency employees on or before September [31] 30, 2018. Agencies shall ensure that each employee receives such climate survey and [are] *is* advised that such climate survey is not mandatory or required as part of such employee’s job. Agencies shall take steps to ensure that the assessment remains anonymous and that no individual employee is personally identified.

§ 3. Section 1 of this local law takes effect on the same date as a local law amending the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, takes effect. Section 2 of this local law takes effect on the same date as a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, takes effect.

HELEN K. ROSENTHAL, Chair; BRADFORD S. LANDER, LAURIE A. CUMBO, BEN KALLOS, DIANA AYALA; Committee on Women, April 23, 2018.

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

GENERAL ORDER CALENDAR

Report for Int. No. 720

Report of the Committee on Housing and Buildings in favor of approving and adopting a Local Law to amend the New York city building code, in relation to clarifying the requirements for site safety training providers.

The Committee on Housing and Buildings, to which the annexed preconsidered proposed local law was referred on March 7, 2018 (Minutes, page 1092), and which same item has been laid over by the Council since the March 7, 2018 Stated Meeting (Minutes, page 924), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 720 printed in the Minutes of March 7, 2018, page 1092)

Accordingly, this Committee recommends its adoption.

ROBERT E. CORNEGY, Jr., Chairperson; FERNANDO CABRERA, MARGARET S. CHIN, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., HELEN K. ROSENTHAL, RITCHIE J. TORRES, BARRY S. GRODENCHIK, BILL PERKINS, MARK GJONAJ, CARLINA RIVERA; Committee on Housing and Buildings, March 6, 2018.

Laid Over by the Council.

Report for L.U. No. 52 & Res. No. 318

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180112 ZMM submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 5d, by changing from an R8B District to an R8A District property bounded by a line 100 feet easterly of Amsterdam Avenue, a line midway between West 109th Street and West 108th Street, a line 100 feet westerly of Columbus Avenue, and West 108th Street, Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 7

C 180112 ZMM

City Planning Commission decision approving an application submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 5d, by changing from an R8B District to an R8A District property bounded by a line 100 feet easterly of Amsterdam Avenue, a line midway between West 109th Street and West 108th Street, a line 100 feet westerly of Columbus Avenue, and West 108th Street, as shown on a diagram (for illustrative purposes only) dated October 16, 2017.

INTENT

To approve the amendment to the Zoning Map, Section No. 5d, changing an R8B district to an R8A district, which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and community facility uses on West 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: Fourteen

Witnesses Against: One

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2018

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

In Favor:

Kallos, Gibson, King, Diaz.

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:
None

Abstain:
None

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

Res. No. 318

Resolution approving the decision of the City Planning Commission on ULURP No. C 180112 ZMM, a Zoning Map amendment (L.U. No. 52).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 5d, changing from an R8B District to an R8A District, which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and community facility uses on 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7, (ULURP No. C 180112 ZMM), Community District 7, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications N 180113 ZRM (L.U. No. 53), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area; and C 180114 HAM (L.U. No. 54), an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of City-owned property to a developer selected by HPD;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the targeted Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on March 2, 2018 (CEQR No. 17HPD083M), which identified significant adverse impacts with respect to Construction (Noise) as shown in Exhibit A;

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, through the Land Disposition Agreement between HPD and the project sponsor, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180112 ZMM, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section No. 5d, changing from an R8B District to an R8A District property bounded by a line 100 feet easterly of Amsterdam Avenue, a line midway between West 109th Street and West 108th Street, a line 100 feet westerly of Columbus Avenue, and West 108th Street, as shown on a diagram (for illustrative purposes only) dated October 16, 2017, Community District 7, Borough of Manhattan.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 53 & Res. No. 319

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180113 ZRM submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 7

N 180113 ZRM

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

INTENT

To approve the amendment to the text of the Zoning Resolution in order to designate a Mandatory Inclusionary Housing (MIH) area, which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and community facility uses on West 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: Fourteen

Witnesses Against: One

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2018

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

In Favor:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on April 19, 2018. The City Planning Commission filed a letter dated April 23, 2018, with the Council on April 24, 2018, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 319

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 180113 ZRM, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Community District 7, Borough of Manhattan (L.U. No. 53).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of Housing Preservation and Development (HPD), for an amendment of the text of the Zoning Resolution of the City of New York, modifying the Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and

community facility uses on West 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7, (Application No. N 180113 ZRM), Community District 7, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to applications C 180112 ZMM (L.U. No. 52), a zoning map amendment to change an R8B zoning district to an R8A district; and C 180114 HAM (L.U. No. 54), an Urban Development Action Area Project designation, project approval, and disposition of City-owned property to a developer selected by HPD;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the targeted Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on March 2, 2018 (CEQR No. 17HPD083M), which identified significant adverse impacts with respect to Construction (Noise) as shown in Exhibit A;

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, through the Land Disposition Agreement between HPD and the project sponsor, those project components related to the environment and mitigation measures that were identified as practicable; and

- (4) The Decision, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 180113 ZRM, incorporated by reference herein, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council;

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

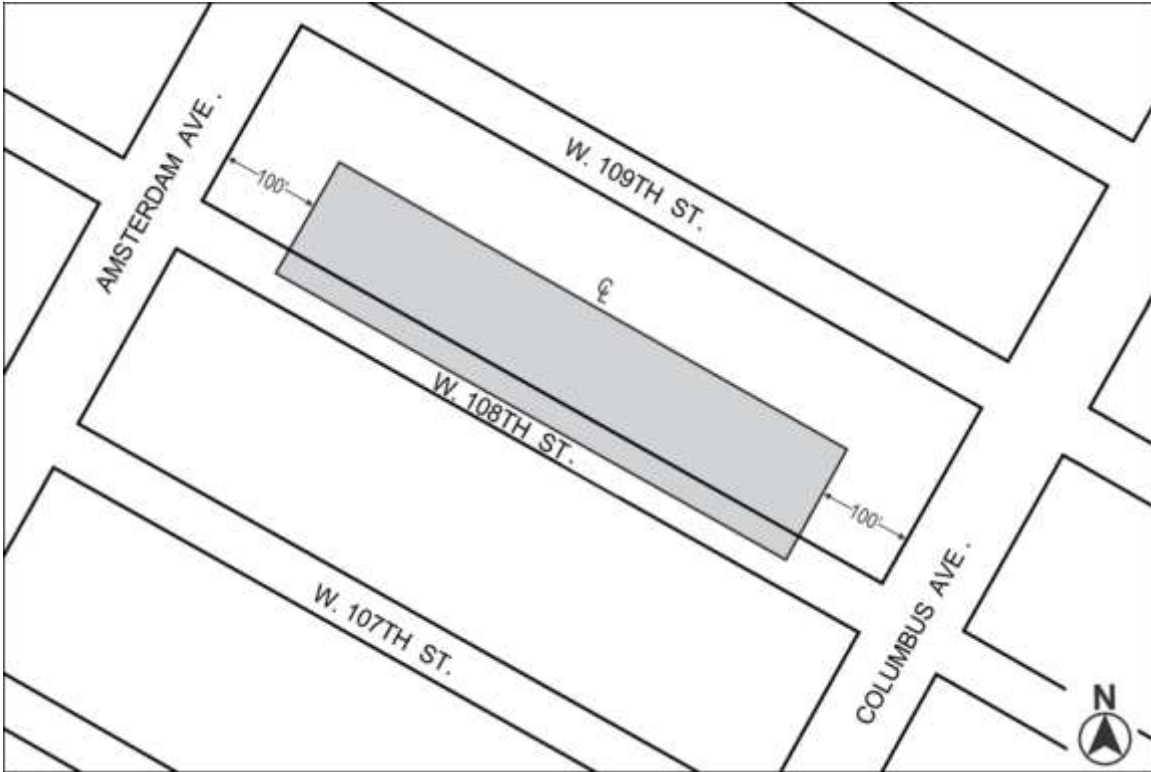
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Manhattan Community District 7

* * *

Map 3 - [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*

Area 1 [date of adoption] — MIH Program ~~Option 2~~ Option 1

Portion of Community District 7, Manhattan

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 54 & Res. No. 320

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180114 HAM submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26) as an Urban Development Action Area and for the approval of an Urban Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of property located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26), Borough of Manhattan, Community District 7, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 7

C 180114 HAM

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for
 - a. the designation of property located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26), as an Urban Development Action Area (UDAA); and
 - b. an Urban Development Action Area Project (UDAAP) for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of property located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26) to a developer to be selected by HPD.

to facilitate a development containing affordable housing and community facility space.

INTENT

To approve the urban development action area project designation, project approval and disposition of city-owned property, which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and community facility uses on West 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7.

PUBLIC HEARING**DATE:** March 27, 2018**Witnesses in Favor:** Fourteen**Witnesses Against:** One**SUBCOMMITTEE RECOMMENDATION****DATE:** April 17, 2018

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

In Favor:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None.

COMMITTEE ACTION**DATE:** April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None.

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

Res. No. 320

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP

No. C 180114 HAM, approving the designation of an Urban Development Action Area located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26), an Urban Development Action Area Project, and the disposition of City-owned property located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26), Community District 7, Borough of Manhattan, to a developer to be selected by HPD (L.U. No. 54; C 180114 HAM).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") regarding:

- a) pursuant to Article 16 of the General Municipal Law of New York State for the designation of properties located at 103-107, 137-143, 145-149 and 151-159 West 108th Street (Block 1863, Lots 5, 10, 13, and 26), as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and
- c) pursuant to Section 197-c of the New York City Charter for the disposition of the Disposition Area located at 103-107, 137-143, and 151-159 West 108th Street (Block 1863, Lots 5, 13, and 26), to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related actions would facilitate the development of two new 11-story buildings with affordable and supportive housing and community facility uses on West 108th Street in the Manhattan Valley neighborhood of Manhattan Community District 7, Borough of Manhattan, (ULURP No. C 180114 HAM) (the "Application");

WHEREAS, the Application is related to applications C 180112 ZMM (L.U. No. 52), a zoning map amendment to change an R8B zoning district to an R8A district; and N 180113 ZRM (L.U. No. 53), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, by letter dated March 26, 2018 and submitted to the Council on March 26, 2018, HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of the project summary for the Project (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the targeted Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on March 2, 2018 (CEQR No. 17HPD083M), which identified significant adverse impacts with respect to Construction (Noise) as shown in Exhibit A;

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, through the Land Disposition Agreement between HPD and the project sponsor, those project components related to the environment and mitigation measures that were identified as practicable; and
- (4) The Decision, together with the FEIS, constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 180114 HAM) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

The Council finds that the present status of the Project 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 approves the designation of the Project Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary.

The Project shall be developed in a manner consistent with Project Summary submitted by HPD, copy of which is attached hereto and made a part hereof.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 55 & Res. No. 321

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180130 HAX submitted by the New York City Department of Housing Preservation and Development, pursuant Article 16 of the General Municipal Law for the designation of property located at 335-349 St. Ann's Avenue and 542-544 East 142nd Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50) as an Urban Development Action Area and for the approval of an Urban Development Area Project for such area, and pursuant to 197-c of the New York City Charter for the disposition of such property, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1309) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:**SUBJECT****BRONX CB - 1****C 180130 HAX**

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD),

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a the designation of property located at 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50) as an Urban Development Action Area; and
 - b an Urban Development Action Area Project for such area;
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property located at 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lot 27 (Formerly Lots 23, 24, 25, 26, 27, 28, 29, 30, and 32) to a developer to be selected by HPD;

to facilitate a multi-story building containing residential, community facility and commercial space.

INTENT

To approve the urban development action area project designation, project approval and disposition of city-owned property, which in conjunction with the related actions would facilitate the construction of multi-story, mixed-use building that contains approximately 170 affordable rental units, commercial space, and community facility space.

PUBLIC HEARING**DATE:** March 27, 2018**Witnesses in Favor:** Five**Witnesses Against:** Three**SUBCOMMITTEE RECOMMENDATION****DATE:** April 17, 2018

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

In Favor:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None

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

Res. No. 321

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 180130 HAX, approving the designation of an Urban Development Action Area located at 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50), an Urban Development Action Area Project, and the disposition of city-owned property located 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lot 27 (Formerly Lots 23, 24, 25, 26, 27, 28, 29, 30, and 32), Borough of the Bronx, Community District 1, to a developer selected by HPD (L.U. No. 55; C 180130 HAX).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") regarding:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lots 23, 24, 25, 26, 27, 28, 29, 30, 32, 48 and 50), as an Urban Development Action Area (the "Designation Area");
- d) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and
- e) pursuant to Section 197-c of the New York City Charter the disposition of the City-owned property located at 335-349 St. Ann's Avenue and 542-544 East 142 Street (Block 2268, Lot 27 (Formerly Lots 23, 24, 25, 26, 27, 28, 29, 30, and 32) (the "Disposition Area") to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related actions, would facilitate the construction of a multi-story, mixed-use building that would contain approximately 170 affordable rental units, commercial space, and community facility space within Community District 1, Borough of the Bronx, (ULURP No. C 180130 HAX) (the "Application");

WHEREAS, the Application is related to applications C 180131 ZMX (L.U. No. 56), a zoning map amendment to change an R6 zoning district to an R7D/C1-4 district; and N 180132 ZRX (L.U. No. 57), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, the Application and Decision are subject to review and action by the Council pursuant to Article 16 of the General Municipal Law of New York State;

WHEREAS, by letter dated March 19, 2018 and submitted to the Council on March 23, 2018, HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of the project summary for the Project (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 17HPD039X) issued on October 27, 2017 (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 180130 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests:

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 approves the designation of the Disposition Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary.

The Project shall be developed in a manner consistent with Project Summary submitted by HPD, copy of which is attached hereto and made a part hereof.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 56 & Res. No. 322

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 180131 ZMX submitted by the NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:, by changing from an R6 District to an R7D District and establishing within the proposed R7D District a C1-4 District, for property bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1310) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

BRONX CB - 1

C 180131 ZMX

City Planning Commission decision approving an application submitted by New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- (1) changing from an R6 District to an R7D District property bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue; and
- (2) establishing within the proposed R7D District a C1-4 District bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

Borough of the Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 30, 2017.

INTENT

To approve the amendment to the Zoning Map, which in conjunction with the related actions would facilitate the construction of a multi-story mixed building that contains approximately 170 affordable rental units, commercial space, and community facility space.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: Five

Witnesses Against: Three

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2018

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

In Favor:

Kallos, Gibson, King, Diaz.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None.

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

Res. No. 322

Resolution approving the decision of the City Planning Commission on ULURP No. C 180131 ZMX, a Zoning Map amendment (L.U. No. 56).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6a, changing from an R6 District to an R7D/C1-4 District, which in conjunction with the related actions would facilitate the construction of a multi-story, mixed-use building that contains approximately 170 affordable rental units, commercial space and community facility space, (ULURP No. C 180131 ZMX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180130 HAX (L.U. No. 55), an urban development action area project designation, project approval, and disposition of City-owned property; and N 180132 ZRX (L.U. No. 57), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 17HPD039X) issued on October 27, 2017 (the "Negative Declaration").

RESOLVED:

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 180131 ZMX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 6a:

- (1) changing from an R6 District to an R7D District property bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue; and
- (2) establishing within the proposed R7D District a C1-4 District bounded by East 142nd Street; St. Ann's Avenue; East 141st Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

as shown on a diagram (for illustrative purposes only) dated October 30, 2017, Community District 1, Borough of the Bronx.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

On motion of the Speaker (Council Member Johnson), 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. 57 & Res. No. 323

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 180132 ZRX submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 22, 2018 (Minutes, page 1310) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

BRONX CB - 1

N 180132 ZRX

City Planning Commission decision approving application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to the text of the Zoning Resolution, which in conjunction with the related actions would facilitate the development of a multi-story, mixed-use building that would contain approximately 170 affordable rental units, commercial space, and community facility space.

PUBLIC HEARING

DATE: March 27, 2018

Witnesses in Favor: Five

Witnesses Against: Three

SUBCOMMITTEE RECOMMENDATION

DATE: April 17, 2018

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

In Favor:

Kallos, Diaz, Gibson, King.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: April 19, 2018

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca, Gibson, Barron, Constantinides, Koo, Lancman, Reynoso, Richards, Treyger, Grodenchik, Adams, Diaz.

Against:

None

Abstain:

None.

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on April 19, 2018. The City Planning Commission filed a letter dated April 23, 2018, with the Council on April 24, 2018, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 323

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 180132 ZRX, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area in Community District 1, Borough of the Bronx (L.U. No. 57).

By Council Members Salamanca and Kallos.

WHEREAS, the City Planning Commission filed with the Council on March 16, 2018 its decision dated March 14, 2018 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of Housing Preservation and Development, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area. The amendment to the text of the Zoning Resolution, in conjunction with the related actions, would facilitate the construction of a multi-story mixed-use building that would contain approximately 170 affordable rental units, commercial space, and community facility space, (Application No. N 180132 ZRX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to applications C 180130 HAX (L.U. No. 55), an urban development action area project designation, project approval, and disposition of City-owned property to a developer selected by HPD; and C 180131 ZMX (L.U. No. 56), a zoning map amendment to change an R6 zoning district to an R7D/C1-4 zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 27, 2018;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 17HPD039X) issued on October 27, 2017 (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 180132 ZRX, incorporated by reference herein, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

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

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council;

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

THE BRONX

* * *

The Bronx Community District 1

* * *

Map 4 - [date of adoption]

[PROPOSED MAP]



 mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)

Area 4 [date of adoption] – MIH Program ~~Option 2~~ Option 1 and Deep Affordability
Option

Portion of Community District 1, The Bronx

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, DONOVAN J. RICHARDS, VANESSA L. GIBSON, INEZ D. BARRON, COSTA G. CONSTANTINIDES, RORY I. LANCMAN, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK ADRIENNE E. ADAMS, RUBEN DIAZ, Sr; Committee on Land Use, April 19, 2018.

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

GENERAL ORDER CALENDAR**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Toni Williams	1428 5th Avenue #601 New York, New York 10035	9
Melissa Diaz	275 East Gunhill Road #5L Bronx, New York 10467	11
Cristina J. Pabon	40 Richman Plaza #2C Bronx, New York 10453	16
Kim Lum Hoo	3002 Lewmay Road Far Rockaway, New York 11691	31
Henry Oliver	1620 Carroll Street #2 Brooklyn, New York 11213	35
John Chartwell Riggall	600 Macon Street #2F Brooklyn, New York 11233	36
Roas Rampulla	135 New Jersey Avenue #2 Brooklyn, New York 11207	37
Julia Swinton	355 Lefferts Avenue #5J Brooklyn, New York 11225	40
Adeyemi Soyemi	435 Ashford Street #1 Brooklyn, New York 11207	42
Robert Albano	168 Getz Avenue Staten Island, New York 10312	51

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Suzette Uricola	400 Chambers Street #8Y New York, New York 10282	1
Victoria Kobylevskaya	71 Columbia Street #17G New York, New York 10002	2
Herbert Cruz	321 West 24th Street #16 New York, New York 10001	3
Martha Chevalier	654 West 161st Street #5C New York, New York 10032	7
Monisha C. Robinson	523 West 135th Street #16 New York, New York 10031	7
Sergio J. Romero	2375 First Avenue #12C New York, New York 10035	8
Betty Murray	1428 5th Avenue #407 New York, New York 10035	9
Camille Jones	2890 Frederick Douglass Blvd #3E New York, New York 10039	9
Donna Outlaw	262-264 West 123rd Street #3A New York, New York 10027	9
Wendy Marte	660 St. Nicholas Avenue #35 New York, New York 10030	9
Carmen P. Montano	507 West 186th Street #C6 New York, New York 10033	10
Wager R. Rizvi	304 West 260th Street Bronx, New York 10471	11
Nydia M. Roman	900 Co-op City Blvd #14A Bronx, New York 10475	12
Zulma Feliciano	955 Waring Avenue #4A Bronx, New York 10469	13
Shenese Talton	2141 Crotona Avenue #1G Bronx, New York 10457	15
Beverly Lydeatte	1075 Grand Concourse #2P Bronx, New York 10452	16

Iris Davis	1750 Sedgwick Avenue #9H Bronx, New York 10453	16
LaKrinda Williams	40 Richman Plaza #6B Bronx, New York 10453	16
Aisha Porter	2010 Bruckner Blvd. #8A Bronx, New York 10473	18
Jacqueline Pollitt	2010 Bruckner Blvd #10L Bronx, New York 10473	18
Zeena Khan	2274 Lyon Avenue Bronx, New York 10462	19
Mary Braunstein	32-33 210th Street Queens, New York 11361	19
Gregory Fruchtman	138-49 Barclay Avenue #1A Queens, New York 11355	20
John Boyne	4-21 27th Avenue #10 Astoria, New York 11102	22
Salvador Guevara	148-05 87th Avenue Jamaica, New York 11435	24
Derrick Gary	220-06 109th Avenue Queens Village, New York 11429	27
Leo R. Nelson	113-05 207th Street Queens Village, New York 11429	27
Mary C. White	119-40 196th Street St. Albans, New York 11412	27
Michael B. Williams	115-53 228th Street Queens, New York 11411	30
Kathy M. Cobena	51-20 48th Street Woodside, New York 11377	30
Senaida Monica Arguelles	61-39 56th Road Maspeth, New York 11378	30
Sylvester Draggon, Sr.	95-24 75th Street Ozone Park, New York 11416	32
James Carriel III	365 Jay Street #4A Brooklyn, New York 11201	33
Jose A. Oliveras	13 McKibbin Court Brooklyn, New York 11206	34

Jose L. Muniz	1835 Stephen Street #3L Ridgewood, New York 11385	34
Katihurca A. Santana	60-88 Myrtle Avenue #3 Ridgewood, New York 11385	34
Judy Thorne	1289 Union Street #5D Brooklyn, New York 11225	35
Patricia Outlaw	220 Montgomery Street #18F Brooklyn, New York 11225	35
Sharon James-Leonce	212 Crown Street #3F Brooklyn, New York 11225	35
Maribelle Carrion	99 Tompkins Avenue #7A Brooklyn, New York 11206	36
Stephanie Van Buren	751 St. Marks Avenue #09 Brooklyn, New York 11216	36
Cecilia Rodriguez	31 Autumn Avenue #1 Brooklyn, New York 11427	37
David Smith	77 Garfield Place #C Brooklyn, New York 11215	39
Hector P. Molina	306 10th Street #1 Brooklyn, New York 11215	39
Meridith Whetsell	414 Hicks Street Brooklyn, New York 11201	39
Brenda Parris	216 Rockaway Avenue #20E Brooklyn, New York 11233	41
Catherine P. Banks	135 Kingsborough 1st Walk #513 Brooklyn, New York 11233	41
Lorraine Bassett	120 Kingsborough 1st Walk #5A Brooklyn, New York 11233	41
Theodore Salley, Jr.	638 MacDonough Street Brooklyn, New York 11233	41
Tamisha Lewis	621 Remsen Avenue Brooklyn, New York 11236	42
Yelena Gurevich	1514 West 11th Street #A7 Brooklyn, New York 11204	44
Djenane Guerrier	603 East 51st Street Brooklyn, New York 11203	45

Adrian Smith	1426 East 88th Street Brooklyn, New York 11236	46
Ahmet Katgi	8645 Bay Parkway #D2 Brooklyn, New York 11214	47
Fern Riback	3743 Nautilus Avenue Brooklyn, New York 11224	47
Michele Pinto	2079 West 10th Street #3 Brooklyn, New York 11223	47
Juliana Vincenti	2814 Quentin Road Brooklyn, New York 11229	48
Annmarie Edkins	52 Daniel Low Terrace #1 Staten Island, New York 10301	49
Joanne Nelson-Williams	35 Long Pond Lane Staten Island, New York 10304	49
Largima Duka	44 Dudley Avenue Staten Island, New York 10301	49
Trisha D. Munroe	416 Maryland Avenue #3B Staten Island, New York 10305	49
Frank Mascia	6 Narrows Road South Staten Island, New York 10305	50
Frank J. Rapacciuolo	54 Newton Street Staten Island, New York 10312	51
Jason Sherman	27 Ivy Court Staten Island, New York 10309	51
Joan M. Migiorato	32 Galvaston Loop Staten Island, New York 10314	51
Joanne Parker	69 Redgrave Avenue Staten Island, New York 10306	51
Peter R. Giunta	323 Colon Avenue Staten Island, New York 10308	51

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

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

- | | | |
|------|---------------------------------|--|
| (1) | M-40 & Res. 317 - | Report of the Committee on Rules, Privileges and Elections approving the re-appointment of MICHAEL M. MCSWEENEY . |
| (2) | Int. 48-A - | Creation of wind maps demonstrating wind energy generation potential within the city. |
| (3) | Int. 50-A - | New York City Building Code, in relation to small wind turbines. |
| (4) | Int. 96-A - | Residential cooperatives to consolidate required energy efficiency reports. |
| (5) | Int. 598-A - | City-owned buildings be powered by green energy sources by 2050. |
| (6) | Int. 858 - | Anti-sexual harassment trainings at city agencies. |
| (7) | L.U. 52 & Res. 318 - | App. C 180112 ZMM Manhattan, Community District 7, Council District 7. |
| (8) | L.U. 53 & Res. 319 - | App. N 180113 ZRM Manhattan, Community District 7, Council District 7. |
| (9) | L.U. 54 & Res. 320 - | App. C 180114 HAM Manhattan, Community District 7, Council District 7. |
| (10) | L.U. 55 & Res. 321 - | App. C 180130 HAX Bronx, Community District 1, Council District 8. |
| (11) | L.U. 56 & Res. 322 - | App. C 180131 ZMX Bronx, Community District 1, Council District 8. |
| (12) | L.U. 57 & Res. 323 - | App. N 180132 ZRX Bronx, Community District 1, Council District 8. |

- (13) **L.U. 58 & Res. 315 -** App. C **20185228 HAM** new real property tax exemption for property located at Block 2130, Lot 44, Community District 12, Council District 10.
- (14) **L.U. 59 & Res. 316 -** App. C **20185227 HAK** new real property tax exemption for property located at Block 4329, Lot 1, Community District 5, Council District 42.
- (15) **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 – Adams, Ampy-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Diaz, Dromm, Espinal, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vallone, Van Bramer, Williams, Yeger, Matteo, Cumbo, and the Speaker (Council Member Johnson) – **50**.

The General Order vote recorded for this Stated Meeting was 50-0-0 as shown above.

The following Introductions were sent to the Mayor for his consideration and approval:

Int. Nos.48-A, 50-A, 96-A, 598-A, and 858.

RESOLUTIONS

presented for voice-vote

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

Report for voice-vote item Res. No. 176

Report of the Committee on Environmental Protection in favor of approving a Resolution in support of the Governor of New York State in the commitment to and facilitation of the development of large-scale offshore wind projects by 2030.

The Committee on Environmental Protection, to which the annexed resolution was referred on February 14, 2018 (Minutes, page 785), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 48-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 176:)

Res. No. 176

Resolution in support of the Governor of New York State in the commitment to and facilitation of the development of large-scale offshore wind projects by 2030.

By Council Members Richards, Rosenthal, Constantinides, Menchaca and Kallos.

Whereas, Climate change is occurring at a rapid rate and the current trend of warming in Earth's climate system is clear and unprecedented; and

Whereas, The increasing concentration of greenhouse gases in Earth's atmosphere is a main cause of rapid climate change; and

Whereas, The principal human activity contributing to climate change is the emission of greenhouse gases by burning fossil fuels for power; and

Whereas, According to the United States Environmental Protection Agency, the future rate and magnitude of climate change will depend on the rate at which greenhouse gas concentrations in Earth's atmosphere continue to increase; and

Whereas, Climate change is impacting New York City's public health, critical infrastructure, communities, vulnerable populations, natural systems, buildings and economy, and these impacts will worsen in the future; and

Whereas, New York State has set policy to reduce its contribution to climate change; and

Whereas, In 2009, Governor David Paterson issued Executive Order No. 24, establishing a goal to reduce the State's greenhouse gas emissions by 80%, relative to 1999 levels, by 2050; and

Whereas, In 2015, Governor Andrew Cuomo reaffirmed the State's commitment to this goal; and

Whereas, In order to achieve this greenhouse gas emissions reduction goal the State must incorporate large-scale renewable energy projects into its power supply; and

Whereas, In August 2016, Governor Cuomo announced the establishment of New York's Clean Energy Standard which requires that 50% of New York's electricity come from renewable energy sources like wind and solar by 2030; and

Whereas, According to the New York State Energy Research and Development Authority (NYSERDA), the Atlantic Ocean off the coast of the State has the potential to support up to 38 gigawatts of wind power, and power from offshore wind projects could become a major source of renewable energy in the decades ahead; and

Whereas, The development of offshore wind projects in the Atlantic Ocean could also generate economic activity and create jobs in adjacent communities; and

Whereas, In 2009, Con Edison, Long Island Power Authority (LIPA) and New York Power Authority (NYPA) launched the Long Island – New York City Offshore Wind Collaborative to jointly conduct a study into the feasibility of developing a large-scale offshore wind project in the Atlantic Ocean south of Long Island; and

Whereas, Con Edison, LIPA and NYPA concluded that it is feasible to connect a large-scale offshore wind project with the power grid by making adjustments to their respective power transmission systems and, further, requested that the federal Bureau of Ocean Energy Management (BOEM) issue a lease to NYPA for an area located on the outer continental shelf 13 miles south of Long Island for the development of an offshore wind project; and

Whereas, In January 2017, Governor Andrew Cuomo announced a commitment to building 2,400 megawatts of offshore wind power by 2030, which translates to the creation of enough energy to power 1.25 million homes; and

Whereas, In September 2017, New York State submitted an Area for Consideration to BOEM, urging the federal agency to identify at least four new Wind Energy Areas (WEAs) off of New York’s Atlantic Coast, each capable of accommodating a minimum of 800 megawatts of offshore wind generation, and to conduct lease auctions for these WEAs; and

Whereas, By developing offshore wind, New York will advance its goals of reducing greenhouse gas emissions 40% below 1990 levels, and ensuring 50% of electricity consumed in New York State come from renewable energy sources by 2030; now, therefore, be it

Resolved, That the Council of the City of New York supports the Governor of New York State in the commitment to and facilitation of the development of large-scale offshore wind projects by 2030.

COSTA G. CONSTANTINIDES, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DONOVAN J. RICHARDS, RAFAEL L. ESPINAL, Jr., KALMAN YEGER; Committee on Environmental Protection, April 23, 2018.

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. James) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. James) declared the Resolution to be adopted.

The following two Council Members formally noted their opposition against the passage of this item:
Council Members Borelli and Matteo voted in the negative.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 823

By Council Members Borelli, Cumbo and Powers.

A Local Law to amend the administrative code of the city of New York, in relation to allowing restaurant surcharges

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 20 to read as follows:

SUBCHAPTER 20 RESTAURANT SURCHARGES

§ 20-828. a. Definitions. For purposes of this section, the following terms have the following meanings:

Restaurant. The term “restaurant” includes any “bar,” “restaurant,” or “restaurant bar” as defined in section 17-502 of title 17.

Surcharge. The term “surcharge” means a charge imposed on top of the stated price of individual listed items not including a charge for an additional service that was not included in the pricing of the item. The term “surcharge” does not include tax, gratuity, tip or a charge for the administration of a banquet, special function, or package deal pursuant to section 146-2.19 of subpart 146-2 of part 146 of subchapter B of chapter II of title 12 of the compilation of codes, rules and regulations of the state of New York.

b. A restaurant adding a surcharge to the amount a paying customer owes must disclose the amount of such added surcharge to such customer before the food is ordered. The disclosure must be:

- 1. Written;*
- 2. Explicit that the additional charge is a surcharge and not a gratuity;*
- 3. Clear and conspicuous;*
- 4. On any document, whether in paper or electronic format, that lists the prices for the customer, including but not limited to any paper or electronic menu, catering contract, final customer bill, or customer’s credit card receipt if a credit card is used;*
- 5. In plain English, or in the same language as the rest of the menu, if applicable; and*
- 6. In a font size similar to surrounding text.*

c. Enforcement. The department is authorized to enforce the provisions of this subchapter.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of the department of consumer affairs may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 824

By Council Members Borelli, Deutsch, Holden, Koslowitz and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the fire department’s recruitment of individuals with prior military service

Be it enacted by the Council as follows:

Section 1. Title 15 of the administrative code of the city of New York is amended by adding a new section 15-132 to read as follows:

15-132. Military Veteran Recruitment. a. The department, in consultation with the department of veterans' services, shall develop and implement a comprehensive plan for increasing the department's recruitment and hiring of military veterans and reservists. Such plan shall include, but not be limited to: the identification of obstacles faced in the department's recruitment, examination, training, hiring, and retention of military veterans and members of the military reserve; the development of targeted online recruitment materials to highlight the benefits and process of joining the department for military veterans and members of the military reserve; and nationwide recruitment of active, reserve, and veteran members of the military service.

b. Reporting. The department shall post a report on its website by March 1st of each year regarding the recruitment of active, reserve, and veteran members of the military service for the preceding calendar year. Such report shall include: a summary of recruitment efforts, including reference to specific partnerships existing with branches of the military and other military service organizations; the number of military specific recruitment events department representatives attended, disaggregated by in-state and out-of-state events; the number of distinct recruitment contacts made to individuals identified as active, reserve or veteran members of the military service; and the number of individuals with prior military service who: (a) were offered appointment to each probationary firefighter school class; (b) graduated from probationary firefighter school; and (c) were hired by the department.

§ 3. This local law takes effect immediately after it becomes law.

Referred to the Committee on Fire and Emergency Management.

Int. No. 825

By Council Members Borelli, Rivera and Levine.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on ambulance tour coverage by private ambulances

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-132 to read as follows:

§ 15-132 Report on ambulance tour coverage by private ambulances. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Ambulance tour. The term "ambulance tour" means an eight-hour shift when an ambulance is in service in the 911 system.

Private ambulance. The term "private ambulance" means any ambulance that the department does not operate.

b. No later than April 1 of each year, the department shall submit to the council and post on the department's website a report setting forth information about the coverage of ambulance tours by private ambulances. The report shall be disaggregated by council district and shall include the following information with respect to the previous calendar year:

- 1. The number of ambulance tours that private ambulances ceased to cover;*
- 2. The number of ambulance tours that private ambulances began to cover; and*
- 3. The net increase or decrease in the number of ambulance tours covered by private ambulances.*

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 826

By Council Member Brannan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the fire department to report on the use of fire sprinklers in fire-related deaths

Be it enacted by the Council as follows:

Section 1. Section 15-131 of the administrative code of the city of New York, as added by local law number 20 for the year 2017, is amended to read as follows:

§ 15-131 Report on smoke detectors and smoke alarms in fire-related deaths. a. No later than April 1 of each year, the department shall submit to the mayor and the council, and post on the department's website, a report indicating whether a smoke detector or alarm, *or a fire sprinkler*, was found at the location of any fire in which there was a civilian fire fatality during the preceding calendar year. If a smoke detector or alarm was found, such report shall indicate the technology used by such smoke detector or alarm and whether such smoke detector or alarm was operational, provided that such information can be ascertained. Such report may also include any other information relevant in determining the role of smoke detectors or alarms in any civilian fire fatality. *If a fire sprinkler was found, such report shall include all relevant information regarding the role of such sprinkler that can be ascertained, including the age and type of such sprinkler, testing and maintenance records, and whether such sprinkler was operational and activated during such incident.*

b. The department shall ascertain from the office of the chief medical examiner the cause of death for any civilian fire fatality, as defined by such office. The report required by subdivision a of this section shall be disaggregated by each type of such cause.

§ 2. This local law takes effect immediately and is deemed repealed on February 15, 2022.

Referred to the Committee on Fire and Emergency Management.

Int. No. 827

By Council Members Cabrera and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting additional homeless families with children from being housed in private buildings with multiple Class C housing maintenance code violations

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-323 as follows:

§ 21-323 *Housing Additional Families in Private Buildings with Multiple Class C Violations Prohibited. The department shall not temporarily house any homeless families with children in private buildings with more than five Class C violations issued by the department of housing preservation and development until such violations have been corrected as certified by the department of housing preservation and development.*

§ 2. This local law takes effect immediately, provided that it shall not apply to homeless families housed in such facilities on the date this local law takes effect.

Referred to the Committee on General Welfare.

Int. No. 828

By Council Member Cabrera.

A Local Law to amend the New York city charter, in relation to an online list of required reports

Be it enacted by the Council as follows:

Section 1. Subdivisions b, c and d of section 1133 of the New York city charter are relettered subdivision d, e and f, respectively.

§ 2. Section 1133 of the New York city charter is amended by adding new subdivisions b and c to read as follows:

b. The department of records and information services, or its successor agency, shall maintain a list on its website of all reports, documents, studies and publications required by local law, executive order, or mayoral directive to be published, issued, or transmitted to the council or mayor. Such list shall provide, for each such report, document, study and publication:

- 1. a copy of such report, document, study or publication;*
- 2. the frequency of required publishing, issuance, or transmittal for such report, document, study or publication;*
- 3. the date that the last such report, document, study or publication was received by the department, along with a link to such report, document or publication; and*
- 4. the date that the next such report, document, study or publication is due to the department pursuant to subdivision a of this section.*

c. The department of records and information services, or its successor agency, shall send a request by physical or electronic mail for transmission pursuant to the requirements of this section to the head of any agency required by local law, executive order, or mayoral directive to publish, issue, or transmit to the council or mayor any report, document, study or publication that is not received by the department, or its successor agency, within ten business days of the due date for such report pursuant to the local law, executive order, or mayoral directive that requires the publishing, issuance or transmittal of such report. The department, or its successor agency, shall make such request available on or through its website in place of the report, document, study or publication that has not been received until such time as such report, document, study or publication is received and made available on or through such website.

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

Referred to the Committee on Governmental Operations.

Res. No. 307

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that would authorize Same-Day Voter Registration in New York, allowing eligible New York City residents to register to vote and cast a ballot at the poll-site on Election Day.

By Council Members Cabrera, Ayala, Ampry-Samuel and Kallos.

Whereas, All eligible New Yorkers deserve a reasonable opportunity to exercise their fundamental voting rights; and

Whereas, New York State consistently has one of the lowest voter turnout rates, ranking 41st among states in the 2016 General Election, according to the United States Elections Project; and

Whereas, Potential voters often find it challenging to register, due to confusing rules and/or lack of time, resulting in nearly 25% of eligible voters not being registered, according to the public policy group Demos; and

Whereas, Under the current process, the voter registration must be completed several weeks before an election, causing many hopeful registrants to not be eligible to vote in the election that they were interested in taking part; and

Whereas, New York State has closed primary elections that require voters to register with a political party in order to participate in their party's primary; and

Whereas, New York currently has the earliest party enrollment change deadline in the United States: it is a full year and 25 days prior to the current year's General Election; and

Whereas, As a result, while the General Election voter turnout is regularly low (62% in 2016), the 2016 Congressional and State Primary Elections saw an abysmal 8% voter turn-out; and

Whereas, Steps can be taken to modernize the voter registration process, which will increase the number of potential voters and the chance of higher voter turnout; and

Whereas, Same-day voter registration would allow eligible New Yorkers to register to vote and cast a ballot on Election Day, extending the right to vote to those who have only recently become interested; and

Whereas, There are currently 15 states and the District of Columbia in the United States that have implemented same-day voter registration; and

Whereas, Public policy group Demos analyzed voter turn-out data from 1980 to 2012 and found that turn-out rates were 10% higher in states with same-day voter registration;¹ and

Whereas, Using 2012 presidential election data, Demos found that four of the top five states for voter turnout had implemented same-day registration; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation that would authorize Same-Day Voter Registration in New York, allowing eligible New York City residents to register to vote and cast a ballot at the poll-site on Election Day.

Referred to the Committee on Governmental Operations.

Int. No. 829

By Council Members Chin and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to city-wide ambient noise level monitoring

Be it enacted by the Council as follows:

Section 1. Legislative findings and intent. The Council finds that noise pollution is widely prevalent in urban areas. Transportation systems are the main source of noise pollution in urban areas but construction of buildings, highways, and streets also cause significant noise, due to the usage of air compressors, bulldozers, loaders, dump trucks, jackhammers and pavement breakers. Industrial noise also adds to the already unfavorable state of noise pollution. Loud speakers, plumbing, boilers, generators, air conditioners, fans, and vacuum cleaners add to the existing noise pollution.

The Council further finds that noise pollution is associated with a variety of adverse health impacts including hearing loss, elevated blood pressure, sleep loss, increased heart rates, and cardiovascular constriction and labored breathing. These health effects can lead to social handicap, decreased performance in learning, absenteeism in the workplace and school and accidents. The Council finds that children are more vulnerable to noise than adults because they spend more time in bed and might be also exposed to night noise. Similarly, the chronically ill and elderly are more sensitive to disturbance.

Accordingly the Council finds that it is in the best interests of New York City to require that the Department of Environmental Protection collect data on ambient noise levels throughout the city and make such data on noise pollution available annually.

¹ <http://www.demos.org/publication/what-same-day-registration-where-it-available>

§ 2. Section 24-232 of the administrative code of the city of New York is amended to add a new subdivision 232.1 as follows:

24-232.1 a. Citywide ambient noise level monitoring. The department shall install sound level meters or dosimeters at major intersections throughout the city and at recreational areas where noise levels can be anticipated to be at or above 65 dBa by December 30, 2018. Commencing on December 30, 2019 and every December 30 thereafter, the department shall issue a report to the mayor and to the speaker of the council containing the results of the noise level monitoring of ambient noise levels citywide. Such report shall also be posted on the department's website annually.

b. Where the results of the ambient sound level monitoring indicates that community boards are experiencing unhealthy levels of noise that contribute actual or potential danger to public health or the environment or present a health risk to at-risk populations based upon the most recent research available, the department of environmental protection along with the departments of transportation and education shall collaboratively identify, develop and require the implementation of corrective mitigation measures that significantly reduce or eliminate short-term and long term exposure risks.

§3. This local law shall take effect 90 days after enactment, provided, however, that the commissioner of environmental protection 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 Environmental Protection.

Int. No. 830

By Council Members Chin and Koslowitz.

A Local Law to amend the building code of the city of New York, in relation to crane wind restrictions

Be it enacted by the Council as follows:

Section 1. Section 3319.13 of the building code of the city of New York, as added by a local law for the year 2017 amending the building code of the city of New York, in relation to crane modernization, as proposed in introduction number 443-A, is renumbered section 3319.14.

§ 2. Section BC 3319 of the building code of the city of New York is amended to add a new section 3319.15 to read as follows:

3319.15 Wind restrictions for cranes. *The following wind restrictions shall apply to cranes that require a certificate of on-site inspection.*

3319.15.1 Special provisions for configurations that require certain actions to be taken at 20 mph or less. *No crane that utilizes a lattice boom, lattice jib, or lattice mast during the course of the job shall be placed into a configuration that requires, at a wind speed of 20 mph (32 kph) or less, the boom or boom/jib combination to be laid down, placed in a jackknife position, or other special protective measures to be implemented, unless:*

- 1. At the end of the shift, or as weather conditions warrant, the boom or boom/jib combination is laid down, jackknifed, or other special protective measures are implemented; and*
- 2. The crane is set up and operated within a safety zone, where:*

- 2.1. *The distance from the crane to the boundary of the safety zone is equal to or greater than the length of the boom, jib, and any other attachments; and*
- 2.2. *All areas within the safety zone are closed to the public;*

3319.15.2 Special provisions for configurations that require certain actions to be taken above 20 mph but at or under 30 mph. *No crane that utilizes a lattice boom, lattice jib, or lattice mast during the course of the job shall be placed into a configuration that requires, at a wind speed above 20mph (32 kph) but at or under 30 mph (48 kph), the boom or boom/jib combination to be laid down, placed in a jackknife position, or other special protective measures to be implemented, unless at the end of the shift, or as weather conditions warrant, the boom or boom/jib combination is laid down, jackknifed, or other special protective measures are implemented; and one of the following:*

1. *The crane is set up and operated within a safety zone that meets the requirements of item 2 of Section 3319.11.1; or*
2. *A plan for monitoring and securing the crane is submitted to the department and approved by the department, the fire department, and the department of transportation. Such plan must be specific to the site and, at a minimum, detail the:*
 - 2.1. *Safeguards to be provided for the public and adjoining property;*
 - 2.2. *Monitoring protocols and thresholds for wind and other conditions;*
 - 2.3. *Communication protocol for when thresholds are exceeded; and*
 - 2.4. *Emergency response procedures for when thresholds are exceeded.*

3319.15.3 Orientation.

3319.15.3.1 Orientation for the assembly/disassembly director. *No person shall perform the duties of an assembly/disassembly director for a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until the assembly/disassembly director has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable manufacturer assembly/disassembly procedures and the approved assembly/disassembly plan for the crane in the configuration to be assembled or disassembled.*

3319.15.3.2 Orientation for the lift director. *No person shall perform the duties of a lift director for a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until the lift director has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable sections of the approved crane notice plan in relation to site conditions, crane location and configuration, and traffic and pedestrian controls, and the applicable sections of the wind action plan with regard to the wind speed thresholds for the crane in the configurations to be operated.*

3319.15.3.3 Orientation for hoisting machine operator. *No person shall operate a crane that meets the requirements of Section 3319.11.1 or 3319.11.2 until:*

1. *The hoisting machine operator has successfully completed an orientation conducted by a qualified person designated by the equipment user. Such orientation shall, at a minimum, review the applicable sections of the approved crane notice plan in relation to site conditions, crane location and configuration, and pick, swing, and landing zones, and the wind action plan for the crane in the configuration to be operated, as well as the controls, computer displays,*

operator aids, and safety devices for the specific make, model, and configuration of crane to be operated; and

2. *The equipment user has verified that the hoisting machine operator has, within 30-days prior to the orientation, completed simulator training specific to the make, model, and configuration of the crane to be utilized. Such training shall, at a minimum, simulate the sequence specified in the wind action plan to raise and lower the boom or the boom/jib combination in the configuration to be operated. The simulator training shall take place at a facility operated by an educational institution or school chartered, licensed or registered by the New York state department of education, a New York state department of labor-approved training provider registered apprenticeship program, or an entity acceptable to the crane manufacturer.*

3319.15.3.4 Documentation. *Successful completion of an orientation required by this section shall be documented in the form of a letter, signed and dated by the qualified person who performed the orientation. Such letter must, at a minimum, state the name of the person who conducted the orientation, the name of the person to whom the orientation was provided, the date of the orientation, and the topics covered. Such letter shall be maintained at the jobsite by the equipment user, and made available to the commissioner upon request.*

§ 3. This local law takes effect immediately except that this local law shall not apply to the use of a mobile crane at a construction site where a certificate of on-site inspection for the use of such crane at such site is issued prior to July 1, 2019; provided that this exception shall not apply to a mobile crane that is a crawler crane. As used in this section, the terms certificate of on-site inspection, mobile crane and crawler crane are as defined in chapter 33 of the New York city building code.

Referred to the Committee on Housing and Buildings.

Int. No. 831

By Council Members Chin and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to making the reckless operation of a bicycle resulting in death or serious injury a misdemeanor

Be it enacted by the Council as follows:

Section 1. Section 19-176.1 of the administrative code of the city of New York, as added by local law number 43 for the year 1996, is amended to read as follows:

§ 19-176.1 Reckless operation of roller skates, in-line skates, [and] skateboards *and bicycles* prohibited. a. *Definitions.* For purposes of this section, *the following terms have the following meanings:*

Bicycle. The term “bicycle” means a two or three wheeled device upon which a person or persons may ride, propelled by human power through a belt, a chain or gears, with such wheels in a tandem or tricycle, except that it shall not include such a device having solid tires and intended for use only on a sidewalk by a child.

[(1)] *In-line skate.* The term “in-line skate” [shall mean] means a manufactured or assembled device consisting of an upper portion that is intended to be secured to a human foot, with a frame or chassis attached along the length of the bottom of such upper portion, with such frame or chassis holding two or more wheels that are longitudinally aligned and used to skate or glide, by means of human foot and leg power while having such device attached to each such foot or leg.

[(2)] *Reckless operation.* The term “reckless operation” [shall mean] means operating roller skates, in-line skates, [or] a skateboard *or a bicycle* [on a public street, highway or sidewalk] in such a manner as to endanger the safety or property of another.

[(3)] *Roller skate*. The term “roller skate” [shall mean] *means* a manufactured or assembled device consisting of a frame or shoe having clamps or straps or both for fastening, with a pair of small wheels near the toe and another pair at the heel mounted or permanently attached thereto, for skating or gliding by means of human foot and leg power.

Serious physical injury. The term “serious physical injury” has the same meaning as set forth in section 10 of the penal law.

[(4)] *Sidewalk*. The term “sidewalk” [shall mean] *means* that portion of the street, whether paved or unpaved, between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians. Where it is not clear which section is intended for the use of pedestrians the sidewalk will be deemed to be that portion of the street between the building line and the curb.

[(5)] *Skateboard*. The term “skateboard” [shall mean] *means* a device consisting of a platform usually curved upwards at each end, to which are mounted or permanently attached two swiveling frames, each of which is used to support and guide a pair of small wheels, which device glides or is propelled by means of human foot or leg power.

b. No person shall engage in the reckless operation of roller skates, in-line skates or a skateboard *on a public street, highway or sidewalk*.

c. A violation of subdivision b of this section shall be a traffic infraction and shall be punishable in accordance with section 1800 of the vehicle and traffic law. Any person who is found guilty of the reckless operation of roller skates, in-line skates or a skateboard shall be subject to a fine of not less than [fifty dollars] \$50 nor more than [one hundred dollars] \$100.

d. No person shall engage in the reckless operation of a bicycle on a public street or highway.

e. Any person who violates subdivision d shall be guilty of a traffic infraction punishable by a fine of not less than \$50 nor more than \$100, except that any person who violates subdivision d in a manner that results in death or serious physical injury of any other person shall be guilty of a misdemeanor punishable by a fine of not more than \$150 or imprisonment for not more than 20 days, or both such fine and imprisonment.

[d.] *f. The provisions of this section shall be enforced by the department, the police department and the department of parks and recreation.*

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

Referred to the Committee on Transportation.

Int. No. 832

By Council Members Chin, Levine and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to allowing ill or incapacitated street vendors to transfer their license to a family member

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision d of section 17-314.1 of subchapter 2 of chapter 3 of title 17 of the administrative code of the city of New York is amended to read as follows:

1. the commissioner may[, in his or her discretion,] transfer a permit to a dependent husband, wife, domestic partner or child of [an incapacitated or deceased] a person to whom the permit was issued under this subchapter *who is deceased, becomes incapacitated or is unable to vend due to a medical condition or illness. A permittee who seeks to transfer his or her permit as such, must submit a request to the commissioner. If such permittee is deceased or incapacitated, the request may be submitted by an agent, domestic partner, child or spouse of such permittee. The commissioner shall approve such transfer where the permittee, or permittee’s agent, domestic partner, child or spouse has proven, in a manner to be determined by the commissioner, that: such permittee is deceased, incapacitated or unable to vend due to a medical condition or illness; and (ii) the prospective transferee is a dependent domestic partner, child, or spouse of the permittee. Upon approval of such transfer, the department shall issue a permit to the transferee;*

§ 2. Subdivision d of section 20-464 of subchapter 27 of chapter 2 of title 20 of the administrative code of the city of New York is amended to read as follows:

d. Not sell, lend, lease or in any manner transfer his or her license or any interest therein unless prior approval of the commissioner has been obtained. *Notwithstanding the aforementioned, where a general vendor licensed pursuant to this subchapter is deceased, becomes incapacitated or is unable to vend due to a medical condition or illness, such general vendor may transfer his or her license to a dependent domestic partner, child, or spouse. A general vendor who seeks to transfer his or her general vending license as such, must submit a request to the commissioner. If a general vendor is deceased or incapacitated, such request may be submitted by an agent, domestic partner, child or spouse of such general vendor. The commissioner shall approve such transfer where the general vendor, or general vendor's agent, domestic partner, child or spouse has proven, in a manner to be determined by the commissioner, that: (i) such general vendor is deceased, incapacitated or unable to vend due to a medical condition or illness; and (ii) the prospective transferee is a dependent domestic partner, child, or spouse of the general vendor. Upon approval of such transfer, the department shall issue a general vending license to the transferee.*

§ 3. This local law shall take effect 120 days after it has been enacted into law.

Referred to the Committee on Health.

Int. No. 833

By Council Members Chin, Levine, Ayala and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to annual reporting on unlicensed child care facilities closed by the department of health and mental hygiene

Be it enacted by the Council as follows:

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

§ 17-1308 *Reports regarding unlicensed child care. a. Commencing no later than September 17, 2019, and no later than September 17 of each year, the department shall send to the speaker of the council, or shall include in the mayor's management report prepared pursuant to section 12 of the charter, information regarding child care programs, as such term is defined in section 17-1306, in the city that includes, at a minimum, the following data concerning child care services during the previous fiscal year, and, to the extent that the department has access to such information, state-regulated family and group family day care homes and school-age child care programs:*

1. The number of child care programs that are licensed, registered, or permitted, disaggregated by borough and by program type;

2. The number of inspections of such child care programs conducted by the department, disaggregated by borough and by program type;

3. The number of complaints received by the department regarding child day care providers, as such term is defined in section 390 of the social services law, that lack a license, registration, or permit required for operation as such a child day care provider, disaggregated by the type of child care program and borough in which the provider is located, and the final resolution of each such complaint as applicable; and

4. The number of child day care providers, as such term is defined in section 390 of the social services law, that received cease and desist orders from the department or that were otherwise closed due to their unlicensed operation on account of the actions of any city agency.

b. The department shall publish on its website the addresses of the child day care providers, as such term is defined in section 390 of the social services law, that received cease and desist orders from the department or that were otherwise closed due to their unlicensed operation on account of the actions of any city agency.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 308

Resolution calling Congress to pass and the President to sign, H.R.202, the Landlord Accountability Act of 2017.

By Council Members Chin, Reynoso and Ayala.

Whereas, According to the Urban Institute, no county in the United States has the supply of affordable housing that meets the housing demand for low income households; and

Whereas, Data from the 2015 American Housing Survey shows that over 50 percent of renters in the United States pay 30 percent or more of their current income towards housing costs; and

Whereas, There is currently a need for the Section 8 Housing Choice Voucher Program (HCV), which is a federal housing program, to assist very low-income families, the elderly and disabled to find affordable housing; and

Whereas, The local public housing agencies (PHA), such as the New York City Housing Authority or the New York City Housing Preservation and Development, receive their funds from the United States Department of Housing and Urban Development (HUD) to administer HCV; and

Whereas, The recipient of the housing choice voucher is responsible to find a home within the HCV spending limits and the property owner is paid directly by the PHA on behalf of the recipient; and

Whereas, Some property owners refuse to offer available housing units due to the source of income tenants planned to use for their rental payment but a few states and local municipalities, such as New York City, have made this form of discrimination illegal; and

Whereas, HUD released a report titled, “The Impact of Source of Income Laws on Voucher Utilization and Locational Outcomes” to compare the utilization rates of public housing authorities that have laws that prohibit discrimination based on the source of income with public housing authorities that do not have such laws; and ; and

Whereas, The HUD report reviewed before and after the enactment of the law and found that these anti-discrimination laws appear to have made a substantial difference in voucher utilization rates and modest differences in the locations where the vouchers were utilized; and

Whereas, H.R.202, sponsored by Representative Nydia Velazquez, currently pending in the United States House of Representatives, would amend the Fair Housing Act to make it unlawful for a property owners to deny tenancy because a current or prospective tenant holds a housing voucher for rental assistance; and

Whereas, H.R 202, known as the Landlord Accountability Act of 2017, establishes civil monetary penalties if the property owner has intentions to disqualify their units for federal housing programs; and

Whereas, H.R 202 would establishes a new multifamily housing complaint resolution program to have the necessary staffing to handle the volumes of calls from voucher holders, and

Whereas, H.R 202 would requires HUD to disclose on their website information the complaints received and resolved from HCV recipients, and

Whereas, H.R 202 would also amend the Internal Revenue Code to establish a tax credit incentive for maintenance to property owners who own at least 5 units and have at least 3 tenants with HCV, and

Whereas, H.R 202 would also require owners of multifamily buildings to display notice describing tenants’ rights under the federal housing voucher program; and

Whereas, H.R. 202 would also establish a grant program at HUD to support local programs that protect tenants from harassment; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign, H.R.202, the Landlord Accountability Act of 2017.

Referred to the Committee on Housing and Buildings.

Res. No. 309

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.5354/S.4528, to create dating violence education and prevention programs in schools.

By Council Members Chin, Treyger and Ayala.

Whereas, Dating violence means a pattern of behavior where one person uses threats of, or actually uses physical, sexual, verbal or emotional abuse to control his or her dating partner; and

Whereas, Women ages 16 to 24 experience the highest per capita rates of intimate violence; and

Whereas, The New York City High School Youth Risk Behavior Survey reported that in 2015, 12% of high school students in New York City claimed they were hit or physically hurt by a boyfriend or girlfriend in the past year; and

Whereas, A report by the Institute for Women's Policy research recommends that schools incorporate discussions on physical and sexual violence in their programs; and

Whereas, Since young people tend to communicate with their friends regarding instances of sexual and dating violence, it is suggested that all teens be equipped with information about service providers and agencies and organizations that can help; and

Whereas, Research suggests that during the preteen and teen years, young people learn the skills they need to form positive relationships with others and that these years are an ideal time to promote healthy relationships and prevent patterns of dating violence that can last into adulthood; and

Whereas, Low self-esteem has been found to be a predictor for both intimate partner violence victimization and aggression; and

Whereas, A.5354, sponsored by Assemblymember Paulin, and its companion bill S.4528, sponsored by Senator Murphy, would encourage the establishment of a school-based teen dating violence prevention program designed to be incorporated into a school district's existing health curriculum to prevent and reduce the incidence and prevalence of teen dating violence; and

Whereas, The program would include, among other things, age-appropriate information about health relationships and teen dating violence, and training programs for teachers, administrators, nurses, and mental health staff; and

Whereas, In addition, the program would use recommendations and goals of the New York State Coalition Against Domestic Violence and local community providers in developing and implementing guidelines relating to education, strategies and responses to teen dating violence for students in kindergarten through twelfth grade; and

Whereas, Companion bills A.5354 and S.4528 would also encourage school districts to adopt a policy which would include a definition of dating violence, a statement that teen dating violence will not be tolerated, and guidelines for responding to incidents of dating violence; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A.5354 / S.4528, to create dating violence education and prevention programs in schools.

Referred to the Committee on Education.

Res. No. 310

Resolution calling upon the Board of Trustees of the State University of New York to require a new application and public hearing when the designated community school district in a charter school application changes.

By Council Members Chin, Treyger and Ayala.

Whereas, The Board of Trustees of the State University of New York (“the Board”) is designated by state law as a “charter entity” tasked with reviewing charter school applications; and

Whereas, In accordance with state law, the New York City Department of Education (“DOE”) must hold a public hearing regarding any application for a new charter school in New York City; and

Whereas, DOE holds the required hearing in the community school district specified in the charter school application; and

Whereas, If the application’s specified district is later changed to another district in the same borough, the Board has, in at least one instance and citing past precedent, viewed the change as “non-material” and recommended approval of the application without requiring any further public hearing; and

Whereas, Different community school districts, even within the same borough, can have vastly different demographic make-ups and educational needs; and

Whereas, The current procedure deprives communities of the right to be heard regarding charter school applications that will affect their neighborhoods; and

Whereas, Additionally, this procedure fails to require applicants to take into account relevant statistics and demographics in instances in which the designated district is changed late in the application process, allowing applications that contain irrelevant information associated with the previously-designated district to proceed unchanged; and

Whereas, A change as significant as designating a different community school district in an application should be treated as “material” by the Board; and

Whereas, In order to enhance the transparency and effectiveness of the charter school application process, the Board should ensure that each application fully reflects the community school district that the applicant intends to serve, and that the public hearing has been held in that district, before it votes to recommend approval; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Board of Trustees of the State University of New York to require a new application and public hearing when the designated community school district in a charter school application changes.

Referred to the Committee on Education.

Int. No. 834

By Council Member Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to use of potable water hoses in all department of environmental protection capital projects

Be it enacted by the Council as follows:

Section 1. Section 24-305 of the administrative code of the city of New York is amended to read as follows:
 § 24-305 Pollution of or interference with water supply. *a.* It shall be unlawful, within the city, to bathe in or go into the water of any water supply reservoir or any part of a city aqueduct, or to throw stones, chips or dirt or any other material or substance whatever into any gate-house, ventilator, fountain or basin. It shall also be unlawful to injure or disfigure any part of the water works system of the city.

b. All department of environmental protection capital projects must use potable water hoses. Temporary water service lines to customers during main repair activities must be disinfected prior to use. Such potable water hoses shall meet the NSF/ANSI 61 certification for potable water use.

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 835

By Council Members Cornegy, Ayala, Ampry-Samuel and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to reporting the locations of vacant properties to each council member

Be it enacted by the Council as follows:

Section 1. Section 3-119.1 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. On or before July 1, 2018 and on or before July 1 of every other year thereafter, the mayor or such designated agency shall submit a report to each council member describing the location of each vacant residential building and each vacant lot located within the district of such council member.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 836

By Council Member Cornegy (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, the New York city building code, the New York city mechanical code and the New York city fire code, in relation to approval processes for alternative automatic fire extinguishing systems, fire alarm systems, emergency alarm systems, fire department in-building auxiliary radio communication systems and fire protection plans.

Be it enacted by the Council as follows:

Section 1. Item 5 of section 28-103.1 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

5. The installation and testing of fire alarm systems, smoke-detecting and carbon monoxide detecting devices that are interconnected with a fire alarm system or monitored by a central station, [and] *alternative automatic fire extinguishing systems, including but not limited to fire extinguishing systems for commercial cooking [appliances] systems, and fire protection plans;*

§ 2. Section 28-103.1.1 of the administrative code of the city of New York, as amended by local law number 141 for the year 2013, is amended to read as follows:

§ 28-103.1.1 Installation of equipment required by the New York city fire code. Where the installation of exit signs, emergency means of egress illumination, special mechanical ventilation, [and] sprinkler *systems*, [and] fire alarm systems *and alternative automatic fire extinguishing systems* is required by the New York city fire code, the fire commissioner shall require such installations to be in accordance with this code.

§ 3. Item 10 of section 28-105.2 of the administrative code of the city of New York, as renumbered and amended by local law number 141 for the year 2013, is amended to read as follows:

10. Fire protection and suppression system permits: for the installation and alteration of fire protection and suppression systems, including [but not limited to] sprinkler systems[,] and standpipe systems[, non-water systems, and fire suppression systems for commercial cooking equipment]. Such permits shall include permits for limited sprinkler alterations and limited standpipe alterations.

§4. Item 7 of section 28-105.4 of the administrative code of the city of New York is renumbered item 9 and new items 7 and 8 are added, to read as follows:

7. *The installation, alteration or removal of alternative automatic fire extinguishing systems, including but not limited to fire extinguishing systems for commercial cooking equipment, subject to the approval of the fire department in accordance with section FC105 of the New York city fire code.*
8. *The installation, alteration or removal of fire alarm systems, emergency alarm systems and fire department in-building auxiliary radio communication systems, subject to the approval of the fire department in accordance with the requirements of this code. Such work shall be submitted in accordance with the rules and regulations of the fire department.*

§ 5. Section 28-109.1 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

28-109.1. Fire protection plan required for covered buildings. New building and alteration applications for covered buildings as set forth in section 28-109.2 shall include a fire protection plan prepared by or under the supervision of a registered design professional who shall professionally certify such plan. Such plan shall be *submitted for review and* [approved] *approval* by [the department and] the fire department *for compliance with this code* prior to issuance of a certificate of occupancy, a temporary certificate of occupancy or a letter of completion, as applicable. *The fire protection plan shall be submitted in accordance with the rules and regulations of the fire department.*

Exception: No fire protection plan shall be required for an alteration that meets all three of the following requirements:

1. The alteration does not involve a change of use or occupancy;
2. The alteration does not exceed one million dollars; and
3. The alteration does not create an inconsistency with a previously approved fire protection plan.

§ 6. Section 107.9.2 of the New York city building code, as renumbered by local law number 141 for the year 2013, is amended to read as follows:

107.9.2 Alternative automatic fire-extinguishing systems. [Alternative] *Notwithstanding any other provision of this code, design and installation documents for the installation of alternative automatic fire-extinguishing systems [plans] shall [comply with Section 904.1.1.] be filed with and reviewed by the Fire Department for compliance with this code, the New York City Fire Code and other applicable laws and regulations in accordance with Section FC105 of the New York City Fire Code.*

§ 7. Section 402.3 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

402.3 Fire protection plan. A fire protection plan shall be provided to [the department and] the Fire Department pursuant to Article 109 of Title 28.

§ 8. Section 903.1.1 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

903.1.1 Alternative protection. Where [the discharge of water would be hazardous] *permitted by the New York City Fire Code, the Fire Department may approve the installation of* alternative automatic fire-extinguishing systems complying with [Section 904 shall be permitted] *this code and the New York City Fire Code* in lieu of automatic sprinkler protection [where recognized by the applicable standard and approved by the commissioner].

§ 9. Section 903.2.11.9 of the New York city building code, as renumbered by local law number 141 for the year 2013, is amended to read as follows:

903.2.11.9 Commercial cooking operations. An automatic sprinkler system shall not be installed in a commercial kitchen exhaust hood and duct system. Fire-extinguishing systems shall be installed in commercial cooking systems in accordance with [Section 904.11] *this code and the New York City Fire Code*.

§ 10. Section 903.3.1.1.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

903.3.1.1.1 Exempt locations protected by other means. [Automatic] *When approved by the Fire Department, automatic* sprinklers shall not be required in [the following rooms or areas where such] rooms or areas [are] protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion, and an alternative *automatic fire-extinguishing* system in accordance with [Section 904] *this code and the New York City Fire Code*. Sprinklers shall not be omitted from any room merely because it is [damp,] of fire-resistance-rated construction or contains electrical equipment. [1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard. 2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the commissioner. 3. Generator and] *This exemption shall not apply to a generator or transformer [rooms] room unless, in addition to the above requirements, such room is* separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours [where the generator is not using], *and the generator in such room shall not use high pressure flammable gas in excess of 15 [psi] psig ([103.4] 103 kPa gauge).*

§ 11. Section 903.3.3 of the New York city building code, as added by local law number 33 for the year 2007, is amended to read as follows:

903.3.3 Obstructed locations. Automatic sprinklers shall be installed with due regard to obstructions that will delay activation or obstruct the water distribution pattern. Automatic sprinklers shall be installed in or under covered kiosks, displays, booths, concession stands, or equipment that exceeds 4 feet (1219 mm) in width. Not less than a 3-foot (914 mm) clearance shall be maintained between automatic sprinklers and the top of piles of combustible fibers.

Exception: Kitchen equipment under exhaust hoods protected with a fire-extinguishing system in accordance with [Section 904] *this code and the New York City Fire Code*.

§ 12. Sections 904.2 and 904.2.1 of chapter 9 of the New York city building code, as amended by local law number 141 for the year 2013, are amended to read as follows:

904.2 Where required. Automatic fire-extinguishing systems installed as an alternative to the required automatic sprinkler systems of Section 903 shall be approved by the [commissioner] *Fire Department*. Automatic fire-extinguishing systems shall not be considered alternatives for the purposes of exceptions or reductions allowed by other requirements of this code.

[Exception: Automatic fire-extinguishing systems installed in Group H occupancies as an alternative to the required automatic sprinkler systems of Section 903 shall be approved by the fire commissioner.]

904.2.1 Hood system suppression. Each required commercial kitchen exhaust hood and duct system required by [the *New York City Fire Code* or] Chapter 5 of the *New York City Mechanical Code* to have a Type I hood shall be protected with an [approved] automatic fire-extinguishing system installed in accordance with this code *and the New York City Fire Code*.

§ 13. Section 907.1 of the New York City building code, as added by local law number 33 for the year 2007, is amended to read as follows:

907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components. Systems shall be designed and installed in accordance with NFPA 72 as modified in Appendix Q and the New York City Electrical Code. *Systems shall be tested and maintained in accordance with this code and the New York City Fire Code.*

§ 14. Section 907.1.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

907.1.1. Construction documents. Construction documents for fire alarm systems shall be submitted for review and approval to [the department and] the Fire Department prior to system installation. Construction documents shall include, but not be limited to, all of the following:

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Location of fire command center, fire alarm control units, transponders and notification power supplies.
5. Location of remote annunciators.
6. Location of all primary, secondary and local sources of power.
7. Fire alarm riser diagram showing all fire alarm devices indicated on the floor plans. Quantities of devices on the floor plans shall match the quantities indicated on the riser diagram. Riser diagram shall include shall include class and style of circuits and levels of survivability. The riser diagram shall show the interface of fire safety control functions.

8. Copies of any variances granted by the department or the Fire Department.
9. Legend of all fire alarm symbols and abbreviations used.
10. Design criteria for fire alarm audibility in various occupancies indicated on plans.
11. Fire alarm sequence of operation for the fire alarm system in a matrix format.
12. Classification of the central supervising station.

§ 15. Section 907.1.1.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

907.1.1.1 Amended construction documents. Amendments to approved construction documents shall be submitted, [reviewed] and approved *by the Fire Department* before the final inspection of the work or equipment is completed, and such amendments when approved shall be deemed part of the original construction documents. The *Fire [department] Department* may allow minor revisions of construction documents to be made and submitted to the [department] *Fire Department* after the completion of work but prior to sign-off of the work in accordance with [department rules] *rules promulgated by the Fire Department regarding such amendments.*

§ 16. Section BC 908 of the New York city building code, as amended by local law number 141 of 2013, is amended by adding two new sections, 908.10 and 908.11, to read as follows:

908.10 Construction documents. *Construction documents for emergency alarm systems shall be submitted for review and approval to the Fire Department prior to system installation.*

908.11 Acceptance testing and maintenance. *Acceptance testing and maintenance of emergency alarm systems shall be performed in accordance with the New York City Fire Code.*

§ 17. Section 917.1.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

917.1.1 Construction documents. Construction documents for ARCS shall be submitted for [review and] approval to [the department and] the Fire Department prior to system installation. Construction documents shall include, but need not be limited to, all of the following:

1. Type of radio equipment and antenna.
2. Riser diagram and floor plans showing location of elements of the ARCS, including but not limited to building fire command center or fire alarm control panel, dedicated radio console, base station/s and all other critical system components such as antennas, amplifiers, cables as applicable.
3. Legend of all ARCS symbols and abbreviations used.
4. Location of primary and secondary power source.
5. Specification and listing details for all equipment[s], devices and cables.

§ 18. Item 5 of Section 106.8 of chapter 1 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

5. In the case of ventilating or exhaust systems for ranges, fryers, ovens, and other similar types of restaurant or bakery equipment, for which a hood is required, the plans shall also show the [type of extinguishing system, the location of heat detection devices, nozzles, piping,] gas controls, [manual and automatic control valves,] method of joining ducts, method and location of discharging exhaust from building, [the location of break-glass controls,] and the quantity in cfm designed for each hood.

§ 19. Exception 3 of section 1305.11.1.2 of the New York city mechanical code, as added by local law number 33 for the year 2007, is amended to read as follows:

- 3. Buildings of any type construction with a total limit of 100,000 gallons.** The maximum size of each individual tank shall be 25,000 gallons (94 625 L) provided that all such tanks are enclosed in a vault (i) with walls, floor, and top having a fire-resistance rating of not less than 3 hours, (ii) with such walls bonded to the floor, and (iii) with such top and walls of the vault independent of the building structure. An exterior building wall having a fire-resistance rating of not less than 3 hours shall be permitted to serve as a wall of the vault. The vault shall be located in a dedicated room or area of the building that is cut off vertically and horizontally from other areas and floors of the building by assemblies having a fire-resistance rating of not less than 2 hours. Where the aggregate fuel-oil storage on the lowest level of the building exceeds 50,000 gallons (189 250 L), such storage shall be protected with an [alternate] *alternative automatic fire-extinguishing system* complying with [Section 904 of] *this code and the New York City [Building] Fire Code.*

§ 20. Section 105.4.1 of the New York city fire code, as added by local law number 26 for the year 2008, is amended to read as follows:

105.4.1 Submissions. Design and installation documents shall be submitted in such number and in such form and detail as may be prescribed by the commissioner. The design and installation documents shall be prepared by a registered design professional. The commissioner may require that such submissions be made in an approved electronic format or medium.

Exception: Design and installation documents for pre-engineered fire extinguishing systems for commercial cooking systems may be prepared by a licensed master fire suppression piping contractor.

§ 21. Sections 105.4.3 and 105.4.4 of the New York city fire code are amended to read as follows:

105.4.3 [Reserved] Approved documents required. *When department review of design and installation documents is required by this code or other laws, rules or regulations, it shall be unlawful to construct or alter any facility, or install, alter or remove any device, equipment or system, without first having obtained department approval of the design and installation documents.*

105.4.4 Approved documents. The [commissioner] *department* shall approve, or deny, or preliminarily deny design and installation documents in accordance with the procedures and time periods set forth in FC105.2.4. *Department approval of design and installation documents may be made subject to the requirements of the Building Code and other applicable laws, rules and regulations, and shall be documented and effective as set forth in this section.*

105.4.4.1 Terms of approval. *The department may make its approval of design and installation documents subject to such terms and conditions as the department may prescribe by rule or specify as part of the approval. Department approval of design and installation documents for fire alarm systems, fire extinguishing systems, and/or other devices, equipment, systems or facilities that do not require a Department of Buildings work permit, may incorporate by reference terms and conditions of the construction codes relating to work permits and licensing, including those in Articles 105 and 106 of Chapter 1 and Article 410 of Chapter 4 of Title 28 of the Administrative Code.*

105.4.4.2 Method of approval. Upon [review and] approval of design and installation documents, the [commissioner] *department* shall mark such approval upon such documents and/or issue a letter of approval or other form of written authorization.

105.4.4.3 Limitations of approval. [Design] *Department approval of design and installation documents [approved by the commissioner are approved with the intent that such design and installation documents comply in all respects with the requirements of this code, the rules and any other applicable laws, rules or regulations] is limited to the laws, rules and regulations enforced by the department and for which approval has been sought.* [Review and approval by the commissioner] *Department approval* shall not relieve the applicant of the responsibility of compliance with the requirements of this code, the rules and any other applicable laws, rules or regulations.

105.4.4.4 Authorization to perform work. *Department approval of design and installation documents authorizes performance of the work encompassed by the approval, subject to all other applicable laws, rules or regulations, including, when applicable, the requirement to obtain a work permit from the Department of Buildings.*

§ 22. This local law takes effect 180 days after it becomes law and applies to applications for approval submitted on or after such effective date, except that prior to such effective date the commissioner of buildings and the fire commissioner may promulgate rules or take other actions to implement this local law.

Referred to the Committee on Housing and Buildings.

Int. No. 837

By Council Member Cornegy.

A Local Law to amend the New York city charter, in relation to creating a mayor's office of industrial and manufacturing business

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-F to read as follows:

§ 20-F. *Office of Industrial and Manufacturing Business.* a. *There shall be established in the executive office of the mayor an office of industrial and manufacturing business. The office shall be headed by a director, who shall be appointed by the mayor.*

b. *The office of industrial and manufacturing business shall have the power and duty to:*

1. *Coordinate with city agencies to facilitate industrial and manufacturing business growth within the city;*
2. *Manage technical assistance offerings to industrial and manufacturing businesses;*

3. *Create and implement programs to develop the industrial and manufacturing business workforce; and*
4. *Make recommendations to the mayor on industrial policy and the availability of property zoned for industrial uses.*

c. There shall be an industrial and manufacturing business advisory board to advise the director on matters related to industrial policy and the impact that industrial and manufacturing businesses have on the neighborhoods in which such businesses operate.

1. *Such advisory board shall consist of seventeen members as follows:*

(i) Eight members shall be appointed by the mayor, provided that one such member shall have advanced specialized training in urban planning, one such member shall be a member of a local community board, one such member shall have advanced specialized training in environmental impact analysis, three such members shall operate industrial manufacturing businesses, one such member shall represent the commercial real estate industry, and one such member shall represent the commercial finance industry; and

(ii) Seven members shall be appointed by the speaker of the council, provided that one such member shall have advanced specialized training in urban planning, one such member shall be a member of a local community board, one such member shall have advanced specialized training in environmental impact analysis, two such members shall operate industrial manufacturing businesses, one such member shall represent the commercial real estate industry, and one such member shall represent the commercial finance industry; and

(iii) The director and the commissioner of the department of small business services shall serve ex officio.

(iv) The director shall serve as chairperson of the advisory board.

2. *At the invitation of the director, other individuals may participate in the discussions of the board.*

3. Each member, other than those members serving in an ex officio capacity, shall serve for a term of two years, to commence upon the first meeting of the advisory board. Any vacancies in the membership of the advisory board shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

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

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

d. Beginning on March 1, 2019, and annually thereafter, the director shall issue a report to the mayor and the speaker of the council specifying the activities undertaken in fulfillment of the duties specified in subdivision b of this section. Such report shall identify major issues affecting industrial and manufacturing businesses within the city, including an analysis of any non-industrial business activity operating in industrial business zones, and provide policy recommendations for addressing such issues.

§ 3. This local law shall take effect 120 days after it becomes law.

Referred to the Committee on Governmental Operations.

Res. No. 311

Resolution calling upon New York City to extend paid family leave benefits to city employees covered by municipal unions.

By Council Members Cumbo, Treyger, Powers, Levin, Ayala, Rosenthal, Koslowitz, Kallos, Constantinides and Chin.

Whereas, On January 7, 2016, New York City Mayor Bill de Blasio signed a personnel order to provide paid parental leave to New York City employees who hold non-union or managerial titles; and

Whereas, The order provides six weeks of paid leave at 100 percent of salary, and will benefit up to 20,000 employees; and

Whereas, Mayor de Blasio's order has been praised as a major step in bringing New York City in line with other jurisdictions in the United States and abroad; and

Whereas, The Mayor's order does not include New York City employees covered by a municipal union; and

Whereas, Each year, many of these New York City workers need time away from work to address major health and family obligations, including serious personal illness, seriously ill family members or the arrival of a child; and

Whereas, Currently, the federal Family and Medical Leave Act (FMLA) of 1993 provides up to 12 weeks of unpaid leave for workers whose families are dealing with certain major health or life events, such as a serious medical condition or the arrival of a child; and

Whereas, For those who take FMLA leave, the financial consequences of losing one's income for weeks or months in order to care for a family member can be devastating; and

Whereas, Most workers must rely on their employers for any paid leave; and

Whereas, A 2011 study by the Center for Economic and Policy Research reported that five years after California implemented a paid family leave program, nearly 89 percent of employers reported that the program had either a "positive effect" or "no noticeable effect" on productivity, roughly 91 percent reported a "positive effect" or "no noticeable effect" on profitability or performance, and more than 95 percent reported either a "positive effect" or "no noticeable effect" on employee turnover and morale; and

Whereas, In that study, businesses with fewer than 100 employees were especially likely to report that paid family leave had not negatively impacted productivity, profitability or performance, or morale; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York City to extend paid family leave benefits to city employees covered by municipal unions.

Referred to the Committee on Civil Service and Labor.

Int. No. 838

By Council Member Diaz.

A Local Law to amend the administrative code of the city of New York, in relation to the licensing and regulation of app-based for-hire transportation services and vehicles

Be it enacted by the Council as follows:

Section 1. Section 19-502 of the administrative code of the city of New York is amended by adding new subdivisions ff, gg, and hh to read as follows:

ff. App-based for-hire base. The term "app-based for-hire base" means a commission-licensed business for dispatching app-based for-hire vehicles.

gg. App-based for-hire service. The term "app-based for-hire service" means an individual, partnership, limited liability company or business corporation that offers transportation for hire to passengers by prearrangement, utilizing software that allows a passenger or prospective passenger to arrange for transportation of passengers for-hire using a publicly-available, passenger-facing booking tool, including a smartphone or similar electronic device, that allows the passenger to identify the location of available vehicles, and allows the driver of the vehicle to receive a request for transportation from such passenger. The term "app-based for-hire service" includes an entity that operates under a single brand across multiple app-based for-hire bases or which allows drivers from multiple app-based for-hire bases to operate on its platform to receive trip dispatches, reservations, or referrals. The term "app-based for-hire service" shall not include an entity licensed as, and meeting all of the requirements of, the term "base station" as defined in subdivision t of this section, or an entity that owns, operates or exclusively services "medallion taxicabs" or "street hail livery vehicles" as these terms are defined in section 51-03 of the rules of the commission.

hh. App-based for-hire vehicle. The term “app-based for-hire vehicle” means a for-hire vehicle licensed by the commission and authorized to accept requests for, and provide transportation through, an app-based for-hire service. The term app-based for-hire vehicle shall not include a “medallion taxicab” or a “street hail livery vehicle” as these terms are defined in section 51-03 of the rules of the commission.

§ 2. Chapter 5 of title 19 of the administrative Code of the city of New York is amended by adding a new section 19-548 to read as follows:

§ 19-548 Licensing and operation of app-based for-hire services. a. It is unlawful for any person or business to operate an app-based for-hire service unless duly licensed as an app-based for-hire service.

b. 1. The annual fee for an app-based for-hire service license is \$20,000, due and payable on the day the license application is filed with the commission and annually on June 30 of each year thereafter. License fees shall be prorated to the term of the license.

2. Licenses are valid for one year, from July 1 to June 30, except that the first license issued to a new app-based for-hire service shall expire on the June 30 following license issuance.

3. The penalty for operating an app-based for-hire service without a current, valid license issued by the commission, or for operating an app-based for-hire service in a manner beyond the scope of the license, shall be the same as the penalty provided in this chapter for operating a for-hire vehicle without a license.

c. No license shall be issued by the commission for a new app-based for-hire service unless the applicant has demonstrated to the satisfaction of the commission that such service:

1. Operates from a business address in a commercially zoned area within the city where such business can lawfully operate. No more than one app-based for-hire service license shall be issued to a single location at any given time;

2. Demonstrates to the satisfaction of the commission that a business need exists for such app-based for-hire service. In connection with such application, the applicant must provide a detailed business plan which includes (i) an analysis of the geographic area it intends to serve, and (ii) a complete description of all transportation services available to the public in the proposed service area, including, but not limited to, available public transit, neighborhood car services, existing black car businesses serving the area, taxicabs, street hail liveries and other licensed app-based for-hire service providers currently providing service within the proposed geographic area of operation;

3. Provides a projection of the number of affiliated app-based for-hire vehicles needed to deliver service as set forth in its business plan, and the average number of fares per vehicle that is anticipated will be provided by the service. There shall be a rebuttable presumption that there is no demonstrated need for new or additional service unless the average number of trips per app-based for-hire vehicle affiliated with the service exceeds 10 per day;

4. Complies will all requirements of the city environmental quality review process; and

5. Provides a detailed description of all commissions, lease fees, and other charges it proposes to charge either the app-based for-hire vehicle owner or the driver, or both as applicable, including an estimate of the average hourly earnings of a driver, based upon actual or anticipated trips and fares.

d. No renewal of a license for an app-based for-hire service shall be approved unless the licensee has, upon submission of a renewal application, demonstrated to the commission that it continues to comply with each of the requirements set forth in subdivision c of this section. Current trip and revenue data shall be included with each renewal application.

e. A copy of each new or renewal application shall be furnished to the chairperson of the community board and the city council member in whose district the app-based for-hire service is to be located and all such renewal applications shall be accompanied by a comprehensive report of the number of trips conducted by the app-based for-hire service during the prior year.

f. An app-based for-hire service may only dispatch or provide requests for transportation to an app-based for-hire vehicle affiliated with such service.

g. An app-based for-hire service shall comply with all of the rules of the commission, including, but not limited to, rules prohibiting the acceptance of hails from passengers on the street, service refusals, and overcharges.

h. An app-based for-hire service shall ensure that a driver of an app-based for-hire vehicle is not provided with a passenger’s destination prior to acceptance of the trip.

i. An app-based for-hire service shall file its rates of fare with the commission annually, and whenever there is any change in the rates. These rates shall be based on mileage, time, or a combination thereof.

j. 1. An app-based for-hire service shall not charge an app-based for-hire vehicle owner or driver any commission, lease fee, or other charge unless such charge has been filed with and approved in advance by the commission.

2. The commission shall review any request for a charge which an app-based for-hire service proposes to charge either an app-based for-hire vehicle owner or driver, and shall not approve such charge unless the commission determines that such a charge is in the best interests of both the public and the app-based for-hire vehicle owner or driver, and such charge shall not prevent such driver or owner from earning a reasonable income operating such vehicle.

k. All bases, as defined as such by the rules of the commission, in continuous operation since the year 2000 and which are using app based software shall be exempted from the requirements of this section and section 19-549.

§ 3. Chapter 5 of title 19 of the administrative Code of the city of New York is amended by adding a new section 19-549 to read as follows:

§ 19-549 Licensing and operation of app-based for-hire vehicles. a. It is unlawful for any person to operate an app-based for-hire vehicle unless duly licensed to do so by the commission.

b. 1. The annual fee for an app-based for-hire vehicle license is \$2,000, due and payable on the day the license application is filed with the commission and annually on June 30 of each year thereafter. License fees will be prorated to the term of the license.

2. Licenses are valid for one year, from July 1 to June 30, except that the first license issued to a new app-based for-hire vehicle shall expire on the June 30 following license issuance.

3. The penalty for operating an app-based for-hire vehicle without a current, valid license issued by the commission, or for operating an app-based for-hire vehicle in a manner beyond the scope of the license, is the same as the penalty provided in this chapter for operating a for-hire vehicle without a license.

c. An app-based for-hire vehicle may be affiliated with only one app-based for-hire service.

d. An app-based for-hire base licensed by the commission shall have no fewer than 10 app-based for-hire vehicles affiliated with it at any time.

e. 1. No driver or owner of an app-based for-hire vehicle shall receive dispatches from any app-based for-hire service unless such vehicle shall be licensed by the commission as an app-based for-hire vehicle, and the operator of the vehicle is a holder of a universal driver license issued by the commission.

2. An app-based for-hire service shall take all necessary actions to ensure that a driver not licensed by the commission as a for-hire vehicle driver cannot accept passengers for hire in an affiliated app-based for-hire vehicle.

f. 1. An app-based for-hire vehicle shall not be licensed unless it meets all of the insurance and vehicle specification requirements set forth in the rules and regulations of the commission.

2. No vehicle shall be permitted to be licensed as an app-based for-hire vehicle until the vehicle is insured by a company authorized to do business in the state of New York with insurance coverage levels that, at a minimum, meet the insurance requirements for black cars.

g. All app-based for-hire vehicles affiliated with an app-based for-hire service must prominently display on the exterior of the vehicle approved trade dress identifying the brand or name utilized by the affiliated app-based for-hire service, as well as a unique, permanently affixed alpha-numeric identifier approved and assigned by the commission which shall be no less prominent than those required on medallion taxicabs.

h. A driver of an app-based for-hire vehicle may not accept hails from passengers in the street, or dispatches, whether through radio, telephone, app-based service or any other means, from any business or entity except the app-based for-hire service to which the vehicle is affiliated.

§ 4. This local law takes effect 120 days after it becomes law, except that the taxi and limousine commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 839

By Council Members Espinal, Kallos, Constantinides, Levine and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale, or distribution for commercial purposes, of single use bottles at city beaches and parks

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 18-156 to read as follows:

§ 18-156 Single use bottle prohibition at beaches and parks. a. Definitions. For purposes of this section, the following terms have the following meanings:

Event. The term "event" means any gathering held at a beach or park under the jurisdiction of the department that includes at least 50 people.

Participant athletic event. The term "participant athletic event" means an event in which a group of people collectively walk, jog, run, bicycle or otherwise participate in a sport.

Single use bottle. The term "single use bottle" means any container that is intended by the manufacturer to be used once or that is generally recognized by the public as an item to be discarded after one use.

b. No person may sell, or distribute for commercial purposes, a single use bottle at beaches or parks under the jurisdiction of the department.

c. The provisions of this section do not apply in the following circumstances, in relation to the sale, or distribution for commercial purposes, of single use bottles containing water at beaches and parks under the jurisdiction of the department:

1. Participant athletic events; or

2. Events where the sponsor demonstrates that the prohibition would present an undue health risk to participants of such event.

d. The department, in consultation with the departments of sanitation, environmental protection and citywide administrative services, shall publish on its website a list or description of the single use bottles prohibited pursuant to subdivision b of this section.

§ 2. This local law takes effect 180 days after it becomes law, except that the department of parks and recreation shall, and the departments of sanitation, environmental protection and citywide administrative services may, take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Parks and Recreation.

Int. No. 840

By Council Member Grodenchik.

A Local Law to amend the administrative code of the city of New York, in relation to the inclusion of certain reservists for purposes of eligibility for the alternative exemption for veterans

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-245.76 to read as follows:

§11-245.76 Alternative exemption for veterans; veterans of Operation Graphic Hand. Pursuant to subdivision ten of section four hundred fifty-eight-a of the real property tax law, the city hereby includes those military personnel who served in the Reserve component of the United States Armed Forces that were deemed

on active duty under Executive Order 11519 signed March 23, 1970 and published on page 5003 of volume 35 of the Federal Register, dated March 24, 1970, and later designated by the United States Department of Defense as Operation Graphic Hand within the definition of “qualified owner” as provided in paragraph (c) of subdivision one of such section, and includes property owned by such military personnel within the definition of “qualifying residential real property” as provided in paragraph (d) of subdivision one of such section, provided that such property is the individual’s primary residence.

§2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 841

By Council Member Grodenchik.

A Local Law to amend the administrative code of the city of New York, in relation to ambulances

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the New York administrative code is amended by adding a new section 15-132 to read as follows:

§ 15-132 Ambulance Supplies a. Definitions. For the purpose of this section:

Ambulance. The term “ambulance” means a motor vehicle, aircraft, helicopter boat or other form of transport especially designed and equipped to provide emergency medical services during transit.

Opioid Antagonist. The term “opioid antagonist” means naloxone or other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

b. All ambulances shall carry an opioid antagonist that the ambulance’s staff is trained to administer.

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

Referred to the Committee on Fire and Emergency Management.

Int. No. 842

By Council Member Grodenchik.

A Local Law to amend the New York city building code and the administrative code of the city of New York, in relation to egress path markings

Be it enacted by the Council as follows:

Section 1. Section BC 1024.1 of the New York city building code, as amended by local law 141 for the year 2013, is amended to read as follows:

1024.1 General. Approved luminous egress path markings delineating the exit path shall be provided in all high-rise buildings subject to Section 403.5 having occupied floors located more than 75 feet (22 860 mm) above the lowest level of Fire Department vehicle access in accordance with Sections 1024.1 through 1024.9 *and in all Group R buildings 40 feet (12 192) or more in height.*

Exceptions:

1. Luminous egress path markings shall not be required on the level of exit discharge in lobbies that serve as part of the exit path in accordance with Section 1027.1, Exception 1.

2. Luminous egress path markings shall not be required in areas of open parking garages that serve as part of the exit path in accordance with Section 1027.1, Exception 3.

§ 2. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.5 as follows:

§ 28-315.2.5 Luminous egress path markings. *Owners of all buildings 40 feet or more in height classified in occupancy group R in accordance with section BC 310 of the New York city building code shall provide luminous egress path markings delineating the exit path. Such markings shall be installed in accordance with sections 1024.1 through 1024.9 of such code. Installation of such markings shall be completed no later than December 31, 2018.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 843

By Council Members Kallos and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that public spaces in buildings include labeled waste and recycling receptacles

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 Labeling of waste and recycling bins. a. Building spaces that may be accessed by the general public, and the public parts of dwellings, as such term is defined in section 27-2004 of the housing maintenance code, shall include at least one of each of the following receptacles, which shall be labeled as follows:

1. A receptacle intended to collect putrescible and nonputrescible waste, as such terms are defined in section 16-130 of the code, which shall be labeled "Landfill."

2. A receptacle intended to collect recyclables, which shall be labeled "Recycling."

3. A receptacle intended to collect food and organic waste, which shall be labeled "Compost."

b. Labels shall be placed on the top and side of each receptacle. Such labels shall be in a form approved by the department and shall be at least three inches in height and eight inches in length.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of sanitation may take such actions as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 844

By Council Member Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a goal of zero waste for New York city by 2030

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-143 to read as follows:

§ 16-143 Zero waste goal. a. Diversion of citywide-generated waste. The department shall establish a goal of diverting citywide-generated waste by one hundred percent by calendar year 2030.

b. If the department determines that such citywide-generated waste diversion goal is not feasible despite the best efforts of city government, the department shall report such findings and make recommendations with respect to policies, programs and actions that may be undertaken to achieve such diversion within 180 days of such determination.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 845

By Council Member Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to requiring usage of full cutoff light fixtures on street lights.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding section 19-113.1 to read as follows:

§ 19-113.1 Requiring full cutoff light fixtures to be used on city streets a. For purposes of this section, the following terms shall have the following meanings:

1. "Full cutoff light fixture" shall mean a light fixture or luminaire constructed and installed in such a manner that all light emitted from the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is protected below the horizontal plane through the fixture's lowest light emitting part.

2. "Street light" shall mean any light hanging from a pole that is designed to illuminate an outdoor area, whether on public or private property, and where the bottom of the fixture of such light is greater than ten feet off of the ground.

b. Any new or replacement light fixture in any street light shall only use a full cutoff light fixture.

c. This section shall not be construed to impair in any manner the approval authority of the landmarks preservation commission where compliance with subdivision b of this section requires the use of a full cutoff light fixture.

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

Referred to the Committee on Transportation.

Int. No. 846

By Council Member Kallos, Espinal, Constantinides and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale or distribution of single use water bottles on city property

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 4-210 to read as follows:

§ 4-210. Single Use Water Bottle Prohibition. a. Definitions. For the purposes of this section:

City Funds. The term "city funds" means all monies or other assets received and managed by, or which are otherwise under the control of, the city of New York.

City Property. The term "city property" means real property, including any buildings thereon, owned or leased by the city of New York, and in the city's possession or in the possession of a public or private entity under contract with the city to perform a public purpose. City property includes a city street.

City Streets. The term "city street" means the public right-of-way owned by the city of New York, including any area across, along, on, over, upon, and within the dedicated public roads, sidewalks, and streets, within the city.

Event. The term "event" means any gathering held on city property for which to a city permit is required, where more than 50 people attend or participate.

Participant Athletic Event. The term "participant athletic event" means an event in which a group of people collectively walk, jog, run, or bicycle or otherwise participate in a sport.

Single Use Bottle. The term "single use bottle" means any container that is intended by the manufacturer to be used once or that is generally recognized by the public as an item to be discarded after one use.

b. No person may sell or distribute a single use bottle containing water on city property.

c. The provisions of this section shall not apply in the following circumstances: 1. participant athletic events; and 2. events where the sponsor demonstrates that the prohibition would present an undue health risk to participants of such event.

d. The commissioner of citywide administrative services, in consultation with the department of environmental protection, the department of parks and recreation, and the department of health and mental hygiene, shall promulgate rules, consistent with the standards established in this section.

e. The department of citywide administrative services shall publish on its website a list or description of the single use bottles prohibited pursuant to subdivision d of this section.

f. No city funds may be used for the purchase of a single use bottle containing water.

§ 2. This local law takes effect 1 year after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 847

By Council Members Koo and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to creating a website to produce and sign petitions seeking particular actions by city government

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 9 to read as follows:

**CHAPTER 9
PETITIONING CITY GOVERNMENT**

§ 23-901 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Department. The term "department" means the department of information technology and telecommunications.

Public authority. The term “public authority” means any state authority or local authority as defined in section two of the public authorities law that operates within the city of New York.

Online petition. The term “online petition” means a petition that satisfies the following conditions:

1. the petition calls for an action to be taken by a city agency or public authority;
2. the petition is available on the website required pursuant to subdivision a of section 23-802; and
3. individual electronic signatures may be added to the petition.

§ 23-902 Website for petitioning city government. a. The department shall establish a website that:

1. allows members of the public to create and sign online petitions; and
2. allows city agencies or public authorities to post public responses to online petitions.

b. After an online petition reaches a threshold number of electronic signatures, as determined by the department by rule, such petition shall be transmitted to the appropriate city agency or public authority for a public response.

c. The department shall make a request for information at least once every six months from each city agency or public authority that received at least one online petition from the department during the preceding six months. Such request shall be for information including, but not limited to, (i) the public response from each city agency or public authority to each petition it received from the department, if any, and (ii) a summary of the actions taken by such city agency or public authority in response to such petition, if any.

d. Nothing herein shall prohibit a city agency from maintaining a separate process for public submission of petitions.

§ 23-903 Reporting. a. The department shall maintain an automated reporting system, available to the public, on the website created pursuant to subdivision a of section 23-902 of chapter 9 of this title. Such reporting system shall include, at a minimum, (i) the number of online petitions transmitted to each city agency or public authority, (ii) the number of such petitions to which city agency or public authority has responded, and (iii) each city agency or public authority’s public response to each petition.

b. No later than June 30 of the year following enactment of this local law, and each year thereafter, the department shall issue a report to the speaker of the council and the mayor containing, at a minimum, a list of online petitions transmitted to each city agency or public authority and the following information for each such petition:

1. the relevant city agency or public authority’s public response to such petition, if any; and
2. a summary of the actions taken by the relevant city agency or public authority in response to such petition, if any.

§ 2. This local law takes effect 120 days after it becomes law, except that the department of information technology and telecommunications 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 Technology.

Int. No. 848

By Council Members Levine, Rosenthal, Powers and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in Northern Manhattan.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6 to read as follows:

§19-175.6 Residential parking permit system in Northern Manhattan. a. The department shall create and implement a residential parking permit system in Northern Manhattan, to include all areas north of 60th street through Inwood, as bounded by the intersection of Spuyten Duyvil Creek and Harlem River, which fixes and

requires the payment of fees applicable to parking within the area in which such parking system is in effect in accordance with the provisions of this section.

b. In creating such residential parking system, the department shall:

1. designate the specific areas in which such parking system applies;
2. provide the times of the day and days of the week during which permit requirements shall be in effect; and

3. make not less than twenty percent of all spaces within the permit area available to non-residents and provide for short-term parking of not less than ninety minutes in duration in such area; and

4. provide that motor vehicles registered pursuant to section 404-a of the New York vehicle and traffic law be exempt from any permit requirement; and

5. provide the schedule of fees to be paid for residential permits; and

6. provide that such fees shall be credited to the general fund of the city of New York.

c. Notwithstanding the provisions of this section, no such residential parking permit shall be required on streets where the adjacent properties are zoned for commercial, office and/or retail use.

§ 2. This local law takes effect 120 days after it becomes law provided that the department may take such measures necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Transportation.

Int. No. 849

By Council Members Levine and Treyger.

A Local Law in relation to creating an inter-agency natural disaster displacement assistance task force

Be it enacted by the Council as follows:

Section 1. Natural disaster displacement assistance task force. a. There is hereby established an inter-agency natural disaster displacement assistance task force that shall review and recommend changes to the laws, rules, regulations, and policies related to providing emergency, short-term support to individuals that have relocated to the city of New York after being displaced from their homes by coastal storms, severe weather, or natural disaster events.

b. The natural disaster displacement assistance task force shall, at minimum, perform the following actions and propose changes to the laws, rules, regulations, and policies where appropriate:

1. identify the immediate resettlement needs of individuals relocating to the city on account of natural disaster displacement, including but not limited to, shelter, healthcare, food, clothing, and basic toiletries;

2. identify the legal and social services needs of such individuals, including but not limited to, disaster relief claim assistance, case management, mental health support, long-term healthcare access, housing assistance, workforce development, and youth and adult education programs;

3. identify and evaluate how the city identifies displaced individuals, assesses their legal and social services needs and screens for local, state, or federal benefit eligibility;

4. identify and evaluate public and private programs available to assist individuals filing disaster relief claims or applying for local, state, or federal benefits;

5. identify and evaluate how the city conducts outreach regarding city services available to displaced individuals, including an assessment of how the city reaches individuals with limited-English language proficiency;

6. identify, evaluate, and encourage coordination among appropriate city, state, and federal agencies and other relevant organizations with regard to supporting individuals displaced by natural disaster;

- 7. identify and evaluate the city’s capacity to quickly scale services in response to surges in displaced individuals in need of immediate assistance upon relocating to the city;
 - 8. identify and evaluate the state and federal financing sources available to the city to meet the services needs of individuals displaced by natural disaster events; and
 - 9. propose changes to laws, rules, regulations, and policies, as appropriate.
- c. Such task force shall be led by the commissioner of the office of emergency management, or by the head of such other office or agency as the mayor may designate, and shall include at a minimum:
- 1. the commissioners of the following agencies or offices or such commissioners’ designees:
 - (a) the administration for children’s services;
 - (b) department of social services;
 - (c) department of homeless services;
 - (d) department of health and mental hygiene;
 - (e) department for the aging; and
 - (f) mayor’s office for people with disabilities;
 - 2. the chancellor of the city school district, or their designee;
 - 3. the coordinator of the office of civil justice, or their designee; and
 - 4. representatives of other such agencies or offices as the mayor may designate.
- d. Such task force shall meet regularly in furtherance of its functions and at any other time at the request of the commissioner or other designated task force leader.
- e. No later than September 1, 2018, the task force shall submit to the mayor and the speaker of the council a report concerning the task force’s activities, its findings and recommendations pursuant to subdivision b of this section.
- f. Such task force shall dissolve upon submission of the report required pursuant to subdivision e of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Preconsidered Int. No. 850

By Council Member Matteo.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for littering from a vehicle

Be it enacted by the Council as follows:

- Section 1. Subdivision 9 of section 16-118 of the administrative code of the city of New York is amended to read as follows:
- 9. Any person violating the provisions of this section shall be liable for a civil penalty in the following amounts, provided that for the purposes of this subdivision, the term “first violation” means any number of violations issued for a single incident:
 - a. not less than 50 and not more than 250 dollars for a first violation, except that the civil penalty shall be not less than 250 and not more than 350 dollars for a second violation of subdivision 3, 4 or 6 of this section within any 12 month period, and not less than 350 and not more than 450 dollars for a third or subsequent violation of subdivision 3, 4 or 6 of this section within any 12 month period;
 - b. notwithstanding paragraph a of this subdivision, for any natural person violating subdivision 6 of this section by means of the act of public urination:
 - (1) 75 dollars for a first violation, and
 - (2) not less than 250 and not more than 350 dollars for any second violation within any 12 month period, and
 - (3) not less than 350 and not more than 450 dollars for any third violation within any 12 month period; and

c. notwithstanding paragraph a of this subdivision, for any natural person violating subdivision 1 of this section:

(1) 75 dollars for a first violation, and

(2) not less than 250 and not more than 350 dollars for any second violation within any 12 month period, and

(3) not less than 350 and not more than 450 dollars for any third violation within any 12 month period[.]; and

d. notwithstanding paragraph a of this subdivision, for any natural person violating subdivision 4 of this section:

(1) 200 dollars for a first violation; and

(2) 350 dollars for any second violation within any 12 month period; and

(3) 450 dollars for any third violation within any 12 month period.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management).

Preconsidered Int. No. 851

By Council Members Matteo, Holden and Ulrich.

A Local Law in relation to a plan to increase enforcement of littering out of vehicles.

Be it enacted by the Council as follows:

Section 1. The commissioner of sanitation shall develop and submit to the mayor and the speaker of the council by April 1, 2019, a plan to increase enforcement of section 16-118(4) of the administrative code. This plan shall include but not be limited to:

a. a list of locations in the city where litter is commonly thrown from cars, which shall be developed by the commissioner in consultation with council members and community boards;

b. the number of sanitation officers necessary to enforce section 16-118(4) of the administrative code in such locations;

c. the number of violations issued annually for littering out of a vehicle, disaggregated by sanitation district;

d. a description of steps the department of sanitation will take to increase enforcement of section 16-118(4);

and

e. a date for implementation of such plan.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management (preconsidered but laid over by the Committee on Sanitation and Solid Waste Management) .

Preconsidered Int. No. 852

By Council Members Menchaca, Vallone and Rosenthal.

A Local Law to amend the New York city charter, in relation to an annual helicopter sightseeing plan

Be it enacted by the Council as follows:

Section 1. Subdivision 2 of section 1301 of the New York city charter is amended by adding a new subdivision b-2 to read as follows:

b-2. to require that any local development corporation or not-for-profit corporation of which a majority of its members are appointed by the mayor and which contracts with the department to provide or administer economic development benefits on behalf of the city:

(1) develop and update in each year, a helicopter sightseeing plan that includes, at a minimum, (i) objectives for reducing noise, improving air quality and preserving public safety in relation to sightseeing helicopter tours, (ii) the timeframe and proposed actions for achieving such objectives, (iii) an identification of any obstacles to achieving such objectives together with recommendations for overcoming such obstacles; provided that such plan shall be developed and updated in consultation with representatives from community organizations, helicopter industry advocates and any other persons referred by the mayor or speaker to such corporation on or before June 30 of such year;

(2) by January 31 of each year, submit to the mayor and speaker a copy of the current helicopter sightseeing plan together with, for plans submitted in 2019 and thereafter, (i) a summary of the changes made to such plan and (ii) an evaluation of progress toward achieving the objectives set forth in the plan submitted in the preceding year.

§ 2. This local law takes effect immediately.

Referred to the Committee on Economic Development (preconsidered but laid over by the Committee on Economic Development).

Int. No. 853

By The Public Advocate (Ms. James) and Council Members Kallos, Miller, Levin, Ayala, Ampry-Samuel, Powers, Rivera and Rosenthal.

A Local Law in relation to providing on-site childcare for city employees

Be it enacted by the Council as follows:

Section 1. On-site childcare for City Employees pilot project. The department of citywide administrative services shall conduct a feasibility study and, if appropriate, one-year pilot project for the provision of discounted group childcare centers for city employees on city-owned and city-controlled property, in one or more locations with adequate space and a substantial number of city employees. As part of such study and pilot project, the department shall assess the range of options for technical feasibility related to space, environmental impact and all anticipated costs of such options. The department shall post on its website and submit to the mayor and the council a report on the results of the pilot project no later than 180 days after the pilot concludes.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 854

By Council Member Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a maximum number of for-hire vehicles affiliated with each base

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 19-511 of the administrative code of the city of New York is amended to read as follows:

e. A licensed base station *or black car base* shall at all times have no fewer than ten affiliated vehicles or black cars and no more than 1,000 affiliated vehicles or black cars, except that a base station for which a license was first issued prior to January 1, 1988 and which at that time had fewer than ten affiliated vehicles or a base station which has an affiliation with a wheelchair accessible vehicle may have as few as five affiliated vehicles, not including black cars and luxury limousines.

§ 2. This local law takes effect 180 days after it becomes law. The commission shall take any actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 855

By Council Members Rodriguez and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to requiring half of all black cars to be accessible to persons with physical disabilities

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York is amended by adding a new section 19-548 to read as follows:

§ 19-548 *Accessibility requirements for black cars. Beginning January 1, 2025, at least half of all black cars shall be accessible vehicles, as such term is defined in section 19-534.*

§ 2. This local law takes effect 180 days after it becomes law. The commission shall take any actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 856

By Council Members Rodriguez and Constantinides.

A Local Law to amend the administrative code of the city of New York, in relation to the siting of for-hire vehicle bases

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-511.2 to read as follows:

§ 19-511.2. *Licensing of black car bases and luxury limousine bases. a. In its review of an application to operate a new black car base or luxury limousine base or an application to relocate a black car base or luxury limousine base, the commission shall consider the possible adverse effect of such black car base or luxury limousine base on the quality of life in the vicinity of such base, including, but not limited to, traffic congestion, sidewalk congestion, the impact on parking availability, noise, and the environment.*

§ 2. This local law takes effect after 120 days after it becomes law, except that the taxi and limousine commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on For-Hire Vehicles.

Int. No. 857

By Council Members Rodriguez, Levine, Van Bramer, Levin and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a citywide residential parking permit system

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.6 to read as follows:

§19-175.6 Residential parking permit system. a. The department shall create and implement a citywide residential parking permit system, which fixes and requires the payment of fees for parking within the area in which such parking system is in effect, in accordance with the provisions of this section.

b. In creating such residential parking system, the department shall:

1. designate specific areas in which such parking system applies;

2. provide the times of the day and days of the week during which permit requirements shall be in effect; and

3. make not less than twenty percent of all spaces within the permit area available to non-residents and provide for short-term parking of not less than ninety minutes in duration in such area; and

4. provide that motor vehicles registered pursuant to section 404-a of the New York vehicle and traffic law be exempt from any permit requirement; and

5. provide the schedule of fees to be paid for residential permits; and

6. provide that such fees shall be credited to the general fund of the city of New York.

c. Notwithstanding the provisions of this section, no such residential parking permit shall be required on streets where the adjacent properties are zoned for commercial, office and/or retail use.

§ 2. This local law takes effect 120 days after it becomes law, provided that the department may take such measures necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Transportation.

Preconsidered Int. No. 858

By Council Members Rosenthal, Rivera, Kallos, Ayala and Ampry-Samuel.

A Local Law to amend the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, and to amend a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, in relation to certain amendments

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 815.1 of the New York city charter, as added by a local law amending the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, is amended to read as follows:

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

Agency. The term “agency” has the same meaning as such term is defined in section 1150 and shall include the offices of the borough presidents, the comptroller and the public advocate.

Interactive training. The term “interactive training” means participatory teaching whereby the trainee is engaged in a trainer-trainee interaction, use of audio-visuals, computer or online training program or other participatory demonstrations as determined by the [commission] *department*. However, such “interactive training” is not required to be live or facilitated by an in-person instructor in order to satisfy the provisions of this subdivision.

§ 2. Subdivision c of a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, is amended to read as follows:

c. The department shall make the climate survey available to all agencies for dissemination to agency employees on or before September [31] 30, 2018. Agencies shall ensure that each employee receives such climate survey and [are] *is* advised that such climate survey is not mandatory or required as part of such employee’s job. Agencies shall take steps to ensure that the assessment remains anonymous and that no individual employee is personally identified.

§ 3. Section 1 of this local law takes effect on the same date as a local law amending the New York city charter, in relation to anti-sexual harassment trainings at city agencies, as proposed in introduction number 612-A for the year 2018, takes effect. Section 2 of this local law takes effect on the same date as a local law in relation to climate surveys and action plans to combat sexual harassment and equal employment opportunity violations at city agencies, as proposed in introduction number 664-A for the year 2018, takes effect.

Adopted by the Council (preconsidered and approved by the Committee on Women).

Int. No. 859

By Council Members Torres and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to permits authorizing gas restoration after an emergency shut-off

Be it enacted by the Council as follows:

Section 1. Article 119 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-119.5 to read as follows:

§ 28-119.5 Expedited inspections for gas restoration after an emergency shut off. *The department shall confirm receipt of a request for inspection of gas plumbing repairs of property that is classified as occupancy Group R to correct a class A or class B condition, as described in part 261 of title 16 of the New York codes, rules and regulations, within 72 hours of the owner of such building notifying the department of such request, and shall conduct a gas authorization inspection within 5 days of receipt of such request.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 860

By Council Members Torres, Cornegy and Ampry-Samuel.

A Local Law to amend the New York city charter, in relation to establishing a New York City Housing Authority ombudsperson within the department of buildings

Be it enacted by the Council as follows:

Section 1. Chapter 26 of the New York city charter is amended by adding a new section 651 to read as follows:

§ 651. New York City Housing Authority ombudsperson. There shall be in the department the position of New York City Housing Authority ombudsperson whose duties shall include, but not be limited to:

- 1. monitoring the New York City Housing Authority's compliance with the New York city construction codes, and reporting on such compliance to the commissioner;*
- 2. making recommendations to the commissioner with respect to such compliance;*
- 3. establishing a system to receive comments and complaints from the public with respect to such compliance; and*
- 4. investigating such comments and complaints and taking appropriate action.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Public Housing.

Int. No. 861

By Council Members Torres and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department and the fire department to notify the New York City Housing Authority of injuries and fatalities occurring in public housing

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-171 to read as follows:

§ 14-171 Department to cooperate with the New York City Housing Authority. It shall be the duty of the department, and of its officers and members of the force, as the commissioner shall direct, to promptly notify the New York City Housing Authority of any injury or fatality that occurs on property owned by the New York City Housing Authority.

§ 2. Chapter 1 of title 15 of the administrative code of the city of New York is amended by adding a new section 15-132 to read as follows:

§ 15-131 Department to cooperate with the New York City Housing Authority. It shall be the duty of the department, and of its officers and members of the force, as the commissioner shall direct, to promptly notify the New York City Housing Authority of any injury or fatality that occurs on property owned by the New York City Housing Authority.

§ 3. This local law takes effect 120 days after it becomes law, except that the police commissioner and the fire commissioner may take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Public Housing.

Res. No. 312

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to amend the state Paid Family Leave Act to provide workers in New York State with a benefit equal to 100 percent of an employee's average weekly wage.

By Council Members Treyger, Ayala, Rosenthal, Koslowitz, Kallos and Constantinides.

Whereas, on April 4, 2016, Governor Andrew M. Cuomo signed into law the Paid Family Leave Act; and

Whereas, Each year, many New York City workers need time away from work to address major health and family obligations, including a serious personal illness, seriously ill family members or the arrival of a child; and

Whereas, Currently, the federal Family and Medical Leave Act (FMLA) of 1993 provides up to 12 weeks of unpaid leave for workers whose families are dealing with certain major health or life events, such as a serious medical condition or the arrival of a child; and

Whereas, For those who take FMLA leave, the financial consequences of losing one's income for weeks or months in order to care for a family member can be devastating; and

Whereas, While New York State's Paid Family Leave Act is a step in the right direction by providing a paid benefit to New York's workers, it does not go far enough; and

Whereas, The cost of living in New York City is significantly higher than the rest of the state; and

Whereas, Workers in New York City will still find it an undue financial hardship to take advantage of New York State's Paid Family Leave Act as currently enacted; and

Whereas, On January 7, 2016, New York City Mayor Bill de Blasio signed a personnel order to provide paid parental leave to New York City employees who hold non-union or managerial titles at 100 percent of salary; and

Whereas, The Mayor's order has been praised as a major step in bringing New York City in line with other jurisdictions in the United States and abroad; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation to amend the state Paid Family Leave Act to provide workers in New York State with a benefit equal to 100 percent of an employee's average weekly wage.

Referred to the Committee on Civil Service and Labor.

Int. No. 862

By Council Members Vallone and Holden.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of buildings to issue stop work orders along with notices to revoke work permits

Be it enacted by the Council as follows:

Section 1. Section 28-105.10.1 of the administrative code of the city of New York, as added by local law number 141 for the year 2013, is amended to read as follows:

§ 28-105.10.1 Notice of proposed revocation. The commissioner may, on written notice to the permit holder, revoke any permit for failure to comply with the provisions of this code or other applicable laws or rules; or whenever there has been any false statement or any misrepresentation as to a material fact in the application or submittal documents upon the basis of which such approval was issued; or whenever a permit has been issued in error and conditions are such that the permit should not have been issued. Such notice shall *be accompanied by a stop work order pursuant to section 28-207.2 and must* inform the permit holder of the reasons for the proposed revocation and that the applicant has the right to present to the commissioner or his or her representative within 10 business days of delivery of the notice by hand or 15 calendar days of the posting of notice by mail, information as to why the permit should not be revoked.

§ 2. Section 28-207.2 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-207.2 Stop work orders. Whenever the commissioner *has given a permit holder notice of proposed revocation pursuant to section 28-105.10.1 or finds that any building work is being executed in violation of the provisions of this code, the 1968 building code, the zoning resolution or of any laws or rules enforced by the department, or in a dangerous or unsafe manner, the commissioner or his or her authorized representative may issue a stop work order.*

§ 3. This local law takes effect 180 days after it becomes law, except that the department may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Int. No. 863

By Council Members Williams, Cumbo, Rosenthal, Rivera, Rose, Chin, Levin, Levine, Kallos, Powers, Ayala, Koslowitz, Reynoso, Brannan, Lander, Perkins, Menchaca and Ampry-Samuel.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employment discrimination based on an individual's reproductive health choices.

Be it enacted by the Council as follows:

Section 1. Section 8-101 of chapter one of title eight of the administrative code of the city of New York, as amended by local law number 1 for the year 2016, is amended to read as follows:

§ 8-101 Policy.

In the city of New York, with its great cosmopolitan population, there is no greater danger to the health, morals, safety and welfare of the city and its inhabitants than the existence of groups prejudiced against one another and antagonistic to each other because of their actual or perceived differences, including those based on race, color, creed, age, national origin, alienage or citizenship status, gender, sexual orientation, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, any lawful source of income, status as a victim of domestic violence or status as a victim of sex offenses or stalking, whether children are, may be or would be residing with a person or conviction or arrest record. The council hereby finds and declares that prejudice, intolerance, bigotry, and discrimination, bias-related violence or harassment and disorder occasioned thereby threaten the rights and proper privileges of its inhabitants and menace the institutions and foundation of a free democratic state. A city agency is hereby created with power to eliminate and prevent discrimination from playing any role in actions relating to employment, public accommodations, and housing and other real estate, and to take other actions against prejudice, intolerance, bigotry, discrimination and bias-related violence or harassment as herein provided; and the commission established hereunder is hereby given general jurisdiction and power for such purposes.

§ 2. Section 8-102 of chapter one of title eight of the administrative code of the city of New York is amended by adding a new subdivision 33 to read as follows:

33. *The term "sexual and reproductive health decisions" means any decision by the employee to receive services which are arranged for or offered or provided to individuals relating to the reproductive system and its functions, including, but not limited to, fertility-related medical procedures, family planning services and counseling, including, but not limited to, access to all medically approved birth control drugs and supplies, emergency contraception, sterilization procedures, pregnancy testing, sexually transmitted disease testing and treatment, abortion procedures and HIV testing and counseling.*

§ 3. Subparagraphs a, b, c and d of subdivision 1 of section 8-107 of chapter one of title eight of the administrative code of the city of New York are amended to read as follows:

1. Employment. It shall be an unlawful discriminatory practice:

(a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status of any person, to refuse to hire or employ or to bar or to discharge from employment such person or to discriminate against such person in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency or an employee or agent thereof to discriminate against any person because of such person's actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status in receiving, classifying, disposing or otherwise acting upon applications for its services or in referring an applicant or applicants for its services to an employer or employers.

(c) For a labor organization or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status of any person, to exclude or to expel from its membership such person or to discriminate in any way against any of its members or against any employer or any person employed by an employer.

(d) For any employer, labor organization or employment agency or an employee or agent thereof to declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation or alienage or citizenship status, or any intent to make any such limitation, specification or discrimination.

§ 3. Subparagraphs b, c and d of subdivision 2 of section 8-107 of chapter one of title eight of the administrative code of the city of New York are amended to read as follows:

(b) To deny to or withhold from any person because of his or her actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status the right to be admitted to or participate in a guidance program, an apprentice training program, on-the-job training program, or other occupational training or retraining program.

(c) To discriminate against any person in his or her pursuit of such program or to discriminate against such a person in the terms, conditions or privileges of such program because of actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status.

(d) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for such program or to make any inquiry in connection with such program which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, marital status, partnership status, caregiver status, *sexual and reproductive health decisions*, sexual orientation or alienage or citizenship status, or any intent to make any such limitation, specification or discrimination.

Section 8-107 of chapter one of title eight of the administrative code of the city of New York is amended by adding a new subdivision 23 to read as follows:

(23) a. *Notice of rights. An employer shall provide written notice in a form and manner to be determined by the commission of the right to be free from discrimination in relation to sexual and reproductive health decisions pursuant to this section to new employees at the commencement of employment and existing employees within one hundred twenty days after the effective date of the local law that added this subdivision.*

§ 2. This local law takes effect 120 days after its enactment, provided, however that the city commission on human rights may take any actions necessary prior to such effective date for the implementation of this local law, including, but not limited to, the adoption of any necessary rules.

Referred to the Committee on Civil and Human Rights.

Res. No. 313

Resolution applauding the US Court of Appeals' Second Circuit decision recognizing protections for Lesbian, Gay, Bisexual, Queer, Transgender and Gender Non-Conforming employees from employment discrimination under Title VII of the Civil Rights Act, and denouncing the US Department of Justice's repeated attempts to deny civil rights protections to members of the LGBTQ-TGNC community.

By Council Members Williams and Ayala.

Whereas, The civil rights of the Lesbian, Gay, Bisexual, Queer, Transgender, and Gender Non-Conforming ("LGBTQ-TGNC") community in the United States ("US") have been hard won over more than sixty years, and include sectors of life many non-LGBTQ-TGNC identifying individuals take for granted, such as the right to marry; and

Whereas, In *Zarda v. Altitude Express*, skydiving instructor Donald Zarda filed suit against his employer, Altitude Express, claiming that he was fired due to his sexual orientation, in violation of New York State Human Rights Law and Title VII of the Civil Rights Act of 1964 ("Title VII"); and

Whereas, The US District Court for the Southern District of New York ruled that Title VII does not provide discrimination protection for sexual orientation and was upheld by the US Court of Appeals for the Second Circuit ("Second Circuit") based on prior case law (*Simonton v. Runyon*); and

Whereas, Following an appeal, the Second Circuit reviewed the case again, *en banc*; and

Whereas, The US Department of Justice ("DOJ") unexpectedly submitted a brief as *amicus curiae* in July, 2017, in support of the lower court ruling, arguing that sexual orientation is not protected under Title VII; and

Whereas, The DOJ argued that the sex discrimination prohibited under Title VII provides narrow protection for disparate treatment of men and women, based solely on gender, not sexual orientation; and

Whereas, The DOJ overlooked the fact that gender stereotyping is necessarily sex discrimination as, for example, men who are attracted to men defy the male stereotype of heterosexuality, and courts have systematically found it difficult to differentiate between impermissible sex-based stereotyping and supposedly permissible sexual orientation discrimination; and

Whereas, Disparate treatment of individuals because of the sex of their partners is equivalent to disparate treatment of individuals because of the race of their partners, which has been found to be illegal under Title VII; and

Whereas, The Second Circuit heard oral arguments from the EEOC and the DOJ on September 26, 2017 and handed down a new decision on February 26, 2018, in favor of *Zarda*; and

Whereas, Chief Judge Robert A. Katzmann wrote in the majority ruling that "sexual orientation discrimination is motivated, at least in part, by sex and is thus a subset of sex discrimination;" and

Whereas, The US Attorney General Jeffrey Sessions has made it abundantly clear that he intends to curtail LGBTQ-TGNC protections wherever he is able through spearheading such campaigns as the rollback of public school guidance to allow transgender students to use the bathroom of their preference; and

Whereas, The City of New York counts the largest LGBTQ-TGNC population in the US, and is arguably the historic epicenter of the nation's LGBTQ-TGNC rights movement; and

Whereas, New York State Human Rights Law and New York City Human Rights Law both provide comprehensive employment protections for sexual orientation discrimination; and

Whereas, The Council of the City of New York has regularly championed legislation that has provided extensive discrimination protections for members of the LGBTQ-TGNC community, as vital members of the city's social, cultural, and economic fabric; now, therefore, be it

Resolved, That the Council of the City of New York applauds the US Court of Appeals' Second Circuit decision recognizing protections for Lesbian, Gay, Bisexual, Queer, Transgender and Gender Non-Conforming employees from employment discrimination under Title VII of the Civil Rights Act, and denouncing the US Department of Justice's repeated attempts to deny civil rights protections to members of the LGBTQ-TGNC community.

Referred to the Committee on Civil and Human Rights.

Res. No. 314

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A02977/S04363, which would establish a center for research into firearm-related violence and a firearm research fund

By Council Member Williams.

Whereas, According to the Gun Violence Archive, in 2017, 61,531 gun violence incidents were reported in the United States, resulting in 15,581 deaths and 31,181 injuries; and

Whereas, Among developed nations, the United States has six times as many firearm homicides as Canada, and nearly sixteen times as many as Germany; and

Whereas, Gun violence has significant public health and safety implications; and

Whereas, Despite the prevalence of gun violence in the United States, little is documented or researched about the factors that give rise to it or methods of prevention; and

Whereas, Unlike other major health and societal concerns, research into gun violence is scarce; and

Whereas, In 1996, the United States Congress voted to prohibit the Centers for Disease Control (CDC) from funding research that “advocated for gun control”; and

Whereas, The CDC interprets this ban to extend to all research on gun violence prevention, and as such has not funded any reliable research since; and

Whereas, In lieu of the federal government’s failure to acknowledge and effectively act to end gun violence, local and state jurisdictions must take the lead; and

Whereas, A02977/S04363 sponsored by Assemblywoman Jo Ann Simon and Senator Roxanne Persaud, respectively, would create a firearm violence research institute with an array of responsibilities; and

Whereas, According to A02977/S04363, the firearm violence research institutes’ purpose would be to advise the Governor, governmental agencies, regents, and the legislature on matters relating to firearm violence in New York State; and

Whereas, Pursuant to A02977/S04363, the institute will be tasked with several ventures, including but not limited to, increasing the understanding of gun violence by establishing and reporting what is known and unknown about firearms in the State, identifying priority needs for firearm research, and coordinating public and/or private entities that are best situated to address such needs; and

Whereas, Additionally, in accordance with A02977/S04363, the firearm violence research institute would be responsible for working on a continuing basis with policy makers in the legislature and state agencies to identify, implement, and evaluate innovative firearm prevention policies and programs; and

Whereas, The institute would be required to submit a report every five years to the Governor and the state legislature describing the programs undertaken or sponsored by the institute; and

Whereas, The bill also amends the state finance law, establishing a firearm violence research fund by which the firearm violence research institute will be funded; and

Whereas, Establishing a center for firearm violence research in New York will help to ensure long-term efforts towards understanding and preventing future gun violence against New Yorkers; and

Whereas, This research is of a particular importance for the City of New York as gun violence disproportionately impacts certain neighborhoods and populations in the City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A02977/S04363, which would establish a center for research into firearm-related violence and a firearm research fund.

Referred to the Committee on Public Safety.

L.U. No. 70

By Council Member Salamanca:

Application No. 20185240 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Il Posto Trattoria Rustica Corp., for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 221 Dyckman Street, Borough of Manhattan, Community Board 12, Council District 10. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

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

L.U. No. 71

By Council Member Salamanca:

Application No. 20185330 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, pursuant to Section 577 of Article XI of the Private Housing Finance Law for a real property tax exemption for the Exemption Area, waiver of the area designation requirement, and waiver of Sections 197-c and 197-d of the New York City Charter for property located at 280 East 3rd Street (Block 372, Lot 12) and 230 East 4th Street (Block 399, Lot 24), Borough of Manhattan, Community District 3, Council District 2.

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

L.U. No. 72

By Council Member Salamanca:

Application No. 20185329 HAK submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property located at Block 1499, Lot 13 and Block 1502, Lot 18, Borough of Brooklyn, Community District 16, Council District 41.

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

L.U. No. 73

By Council Member Salamanca:

Application No. 20185332 HAM submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project, and pursuant to Section 577 of Article XI of the Private Housing Finance Law for a new real property tax exemption for property located at 615 West 150th Street and 601 West 148th Street, Borough of Manhattan, Community District 9, Council District 7.

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

<http://legistar.council.nyc.gov/Calendar.aspx>

ANNOUNCEMENTS

Thursday, April 26, 2018

[Committee on Housing and Buildings](#)

Robert Corney, Jr., Chairperson

Oversight – Third Party Transfer & HDFCs.

Council Chambers – City Hall.....10:00 a.m.

[Committee on Youth Services](#)

Deborah Rose, Chairperson

Proposed Int 376-A - By Council Members Torres, Salamanca, Brannan and Cabrera - **A Local Law** to amend the New York city charter, in relation to establishing an anti-bullying hotline and additional resources for youth.
Int 713 - By Council Members Van Bramer, Rose and Chin - **A Local Law** to amend the New York city charter, in relation to creating an ombudsman position within the New York city department of youth and community development.

Committee Room – 250 Broadway, 14th Floor.....10:00 a.m.

☐ [Note Time Change](#)

[Committee on Governmental Operations](#)

Fernando Cabrera, Chairperson

Oversight – OATH Hearing Procedures of Taxi and Limousine Commission Related Violations.

Int 14 - By Council Members Borelli, Brannan, Yeger, Deutsch, Rosenthal, Maisel, Salamanca, Holden, Torres, Powers and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to the broadcasting of mandatory debates.

Int 748 - By Council Members Cabrera, Diaz and Yeger - **A Local Law** to amend the administrative code of the city of New York, in relation to certain taxi and limousine commission-related hearing procedures of the office of administrative trials and hearings.

Int 828 - By Council Member Cabrera - **A Local Law** to amend the New York city charter, in relation to an online list of required reports.

Committee Room – 250 Broadway, 16th Floor.....1:30 p.m.

☐ [Deferred](#)

[Committee on Hospitals](#)

Carlina Rivera, Chairperson

[Committee on Mental Health, Disabilities & Addition](#)

Diana Ayala, Chairperson

Off-site Hearing – Oversight – The Future of Psychiatric Care in New York City’s Hospital Infrastructure.

Location: NYC Health + Hospitals/Metropolitan
6th Floor Auditorium, Main Building
1901 First Avenue,
New York, NY 10029

Details attached.....1:00 p.m.

Monday, April 30, 2018

[Committee on For-Hire Vehicles](#)

Ruben Diaz, Sr., Chairperson

Int 634 - By Council Member Diaz - **A Local Law** to amend the administrative code of the city of New York, in relation to the waiver of licensing fees for accessible taxi-cabs and for-hire vehicles.

Int 838 - By Council Member Diaz - **A Local Law** to amend the administrative code of the city of New York, in relation to the licensing and regulation of app-based for-hire transportation services and vehicles.

Council Chambers - City Hall.....9:30 a.m.

[Committee on Civil Service and Labor](#) jointly with the

I. Daneek Miller, Chairperson

Committee on Education

Mark Treyger, Chairperson

Oversight - Paid Parental Leave for New York City Municipal Employees.

Res 311 - By Council Members Cumbo, Treyger, Powers and Levin - Resolution calling upon New York City to extend paid family leave benefits to city employees covered by municipal unions.

Committee on Civil Service and Labor jointly with the

Committee on Education (Cont.)

Res 312 - By Council Member Treyger - Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to amend the state Paid Family Leave Act to provide workers in New York State with a benefit equal to 100 percent of an employee’s average weekly wage.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....1:00 p.m.

Committee on Fire and Emergency Management

Joseph Borelli, Chairperson

Oversight - Evaluating Emergency Service Needs in Response to Population Shifts.

Int 744 - By Council Members Borelli, Ampry-Samuel and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to report on emergency medical services supervisor to battalion staffing ratios.

Int 745 - By Council Members Borelli, Cabrera and Holden - **A Local Law** in relation to requiring the fire department to report on the effect of rezonings between 2002 and 2013 on department resources.

Int 746 - By Council Members Borelli, Maisel and Holden - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the fire department to annually report on its new needs based on rezoning that occurred during the previous year.

Committee Room – 250 Broadway, 16th Floor.....9:30 a.m.

Committee on Parks and Recreation

Barry Grodenchik, Chairperson

Oversight - Permitting Process for the Use of Athletic Fields at Parks.

Committee Room – 250 Broadway, 14th Floor.....1:00 p.m.

Tuesday, May 1, 2018

Note Location Change

Subcommittee on Zoning & Franchises

Francisco Moya, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....9:30 a.m.

Deferred

Subcommittee on Zoning & Franchises jointly with the

Francisco Moya, Chairperson

Committee on Technology

Peter Koo, Chairperson

Oversight – The City’s cable television franchise agreements with Verizon, Spectrum, and Cablevision/Altice – are New Yorkers getting what they bargained for?

Council Chambers – City Hall.....10:00 a.m.

Subcommittee on Landmarks, Public Siting & Maritime Uses

Adrienne Adams, Chairperson

Proposed Int 212-A -By Council Member Miller - **A Local Law** to amend the administrative code of the city of New York, in relation to approval of cemetery uses on land acquired in Queens before 1973.

Int 368 - By Council Members Salamanca, Maisel and Yeager - **A Local Law** to amend the administrative code of the city of New York, in relation to authorizing the landmarks preservation commission to administer a historic preservation grant program.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor.....12:00 p.m.

Note Location Change

Subcommittee on Planning, Dispositions & Concessions

Ben Kallos, Chairperson

See Land Use Calendar

□ Committee Room – 250 Broadway, 16th Floor.....2:00 p.m.

Wednesday, May 2, 2018

Committee on Standards and Ethics

Steven Matteo, Chairperson

Int 735 - By Council Member Matteo - **A Local Law** to amend the New York city charter, in relation to the advisory opinions of the conflicts of interest board.

Committee Room – 250 Broadway, 16th Floor.....10:30 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....11:00 a.m.

Committee on Justice System jointly with the

Rory Lancman, Chairperson

Committee on Consumer Affairs & Business Licensing

Rafael L. Espinal, Chairperson

Int 510 - By Council Member Lancman - **A Local Law** to amend the administrative code of the city of New York, in relation to fees charged by bail bondsmen.

Int 724 - By The Speaker (Council Member Johnson) and Council Members Williams, Lancman, Van Bramer, Dromm, Powers and Levine - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring that bail bond businesses make certain disclosures.

Committee Room – City Hall.....1:00 p.m.

Wednesday, May 9, 2018

Committee on Finance

Daniel Dromm, Chairperson

Preconsidered Res ___ – Council Member Dromm - **Resolution** approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall.....10:00 a.m.

Committee on Rules, Privileges & Elections

Karen Koslowitz, Chairperson

M 35 - Communication from the Staten Island Borough President submitting the name of **Alfred C. Cerullo** for appointment as a member of the New York City Planning Commission.

M 39 - Communication from the Mayor submitting the name of **Allen P. Cappelli** for appointment as a member of the New York City Planning Commission.

Council Chambers – City Hall.....11:00 a.m.

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

..... *Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) recognized the presence of Doug Muzzio and his class from Community Macaulay Honors College as those assembled in the Chambers applauded.

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) noted that the Council was very proud to re-appoint Michael McSweeney for another term as the City Clerk and Clerk of the Council (see the Report of the Committee on Rules, Privileges and Elections for M-40 & Res. No. 317 printed in these Minutes). He acknowledged the wide range of duties and responsibilities of the Office of the City Clerk. The Speaker (Council Member Johnson) recalled how Mr. McSweeney and his staff spent countless hours helping LGBT couples marry their spouses after marriage equality was passed in June 2011. The Speaker (Council Member Johnson) noted that the Clerk's Office had welcomed every LGBT couple who came to be married and treated them with respect and dignity. At this point, the Speaker (Council Member Johnson) yielded the floor to Council Member Van Bramer in whose district Mr. McSweeney resides.

Council Member Van Bramer praised Mr. McSweeney's long history of distinguished public service in Queens. He reiterated Mr. McSweeney's presence at those crucial moments when the first same-sex couples lined up to get married at the Office of the City Clerk. Council Member Van Bramer also recounted the story of how Mr. McSweeney had helped Danyal Lawson and his same-sex spouse and late activist Louis Rispoli. Mr. McSweeney had personally retrieved their marriage certificate and provided it for the hospital where Mr. Rispoli lay brain dead after a brutal attack in 2012. The proof of marriage allowed Mr. Lawson to make the difficult decision to remove Mr. Rispoli from life support. Council Member Van Bramer concluded by thanking Mr. McSweeney for being a kind and decent public servant. At this point, those assembled in the Chambers cheered Mr. McSweeney and gave him a standing ovation.

Whereupon on motion of the Speaker (Council Member Johnson), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Wednesday, May 9, 2018.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 262-A and 605-A, both adopted at the March 22, 2018 Stated Meeting, were returned unsigned by the Mayor on April 24, 2018. These items had become law on April 22, 2018 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 89 and 90 of 2018, respectively.

