

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING

of

Thursday, August 13, 2015, 2:31 p.m.

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

Council Members

Melissa Mark-Viverito, Speaker

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

Absent: Council Members Barron, Cabrera, Chin, Rodriguez, and Van Bramer.

Excused on Medical Leave: Council Members Gentile and Palma.

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There are two vacant seats in the Council pending the swearing-in of the certified winners of the November 2015 Elections in the 23rd and 51st Council Districts.

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

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

There were 42 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 Rabbi Joseph Potasnik, New York Board of Rabbis, 136 East 39th Street, New York, N.Y. 10016.

Thank you, Public Advocate.

Firstly, let me give a shout out to the New York City Youth Council that is here. Please know that one day you'll be sitting down here and we'll be up there. Please make it in the distant future.

Secondly, I just want to take a moment to recognize my New York City Councilman Steve Levin who recently got married, and I think Steve will learn something that we all learned in law school, that marriage is defined as the loss of liberty in the pursuit of happiness. Thank you.

Some years ago, a member of the Norwegian Parliament named Bjørnson infuriated his constituents by voting for a particular measure. Many of them protested in front of his house, pelted rocks at his windows and then left singing the Norwegian National Anthem. What they didn't realize was Bjørnson had written the national anthem. The lesson is that there is a time when people may reject you for a particular position you've taken, but ultimately they will respect you when you are a person of principle. Let us all remember two words in our vocabulary. One is united, the other is untied. Interestingly, both are spelled with the exact same letters. The only difference is where you place the "I." In life, when you only speak of "I" rather than "we"

a relationship easily becomes untied,
but where the “we” takes precedence, that relationship will remain united.
So, may we always see each other as people of different faiths,
different faces, different philosophies, but there comes that moment
when we have to learn to sing that national anthem as members of one family.
Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of NYC Sanitation worker Sgt. Frank Musella, 37, who died in the line of duty in Staten Island on Wednesday, July 30, 2015. The Speaker (Council Member Mark-Viverito) offered her thoughts and prayers to Sgt. Musella’s family and friends.

At a later point, the Speaker (Council Member Mark-Viverito) asked those assembled to remember the twelve individuals who recently died of Legionnaire’s Disease and to keep those who were afflicted, as well as their families, in their thoughts and prayers.

ADOPTION OF MINUTES

Council Member Koslowitz moved that the Minutes of the Stated Meeting of June 26, 2015 be adopted as printed.

LAND USE CALL UPS

M-330

By Council Member Chin:

Pursuant to Rule 11.20(b) of the Council and §20-226 or §20-225 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 221 West Broadway, Borough of Manhattan, Community Board No. 1, Application No. 20155746 TCM shall be subject to review by the Council.

Coupled on Call-Up Vote

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M-331

By Council Member Menchaca:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure (ULURP) Application No. C 150188 PCK be subject to Council review.

Coupled on Call-Up Vote

M-332

By Council Member Menchaca:

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure (ULURP) Application No. C 150305 PCK be subject to Council review.

Coupled on Call-Up Vote

LAND USE CALL UP VOTE

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

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

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) announced that Assistant General Counsel Jeremy Plofker was leaving the Council. Mr. Plofker worked on a wide range of ethics matters including conflict of interests issues, transparency resolutions, and the Council's anti-discrimination and harassment training. The Speaker (Council Member Mark-Viverito) thanked him for his work and support and wished him good luck in his future endeavors. Those assembled in the Chambers applauded Mr. Plofker and he was praised and commended by other Council Members throughout the Meeting.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Report for Int. No. 287-A

Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to price displays on all signs posted by gas stations other than signs on dispensing devices.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on April 29, 2015 (Minutes, page 1333), respectfully

REPORTS:

I. Introduction

On Tuesday August 11, 2015, the Committee on Consumer Affairs, chaired by Council Member Rafael Espinal, will hold a hearing and committee vote on the following three pieces of legislation:

Proposed Introductory Bill Number 287-A ("Proposed Int. No. 287-A"), a local law to amend the administrative code of the city of New York, in relation to price displays on all signs posted by gas stations other than signs on dispensing devices, which was first heard by the Committee on September 18, 2014;

Proposed Introductory Bill Number 586-A ("Proposed Int. No. 586-A"), a local law to amend the administrative code of the city of New York, in relation to signs, posters or placards that advertise gas prices, which was first heard by the Committee on February 24, 2015; and

Proposed Introductory Bill Number 682-A ("Proposed Int. No. 682-A"), a local law to amend the administrative code of the city of New York in relation to conduct in connection with offers to induce a person to vacate a dwelling, which was first

heard by the Committee jointly with the Committee on Housing and Buildings on April 29, 2015.

II. Gas Station Signage Legislation

On January 23, 2013, the Council passed Local Law 9 of 2013 which required all gas stations to erect road signs that state the price per gallon for every grade of gasoline offered for sale and for each form of payment, specifically cash, credit, debit or other. The requirement proved to be burdensome on smaller gas stations that could not afford to erect such a sign and gas stations on premises with zoning restrictions on such signs. According to gas station representatives whose gas stations already had road signs, their existing road signs were not in compliance with the rules promulgated by the Department of Consumer Affairs (“DCA”) pursuant to our local law because their signs were not large enough to comply with the new rules or contain all of the new required information. Further, it was argued that signs containing all of the required pricing information would appear cluttered and difficult to follow for oncoming drivers. Finally, gas station owners have requested changes to local law that would allow them to erect signs illuminated by light-emitting diode (“LED”) lights for purposes of clarity to consumers and ease in managing the sign.

These two bills would clarify the requirements for any signs, posters or placards that advertise the price of petroleum products offered for sale at a gas station.

a. Proposed Int. No. 287-A

Proposed Int. No. 287-A would require that if a gas station chooses to display any signs, posters or placards advertising the price of gasoline that such signs, posters or placards state, at minimum, the price per gallon inclusive of all applicable taxes of the lowest grade of gasoline offered for sale. The bill would also allow gas stations that choose to erect road signs for purposes of advertising their gasoline to oncoming traffic to post LED signs. Currently, DCA issues violations for any sign advertising the sale of petroleum products that does not contain black lettering on white background, as per the Administrative Code.

The bill would go into effect 180 days after it becomes law.

b. Proposed Int. 586-A

Proposed Int. No. 586-A would require gas stations that offer a different price for purchases made in cash or other specified form of payment to state the price for each type of accepted payment on any sign, poster or other display that advertises the price of gasoline offered for sale.

The bill would go into effect on the same day as Proposed Int. No. 287-A.

III. Tenant Relocator Specialists: Proposed Int. No. 682-A

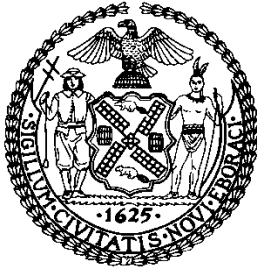
In New York City, there has been a long history of owners offering rent-regulated tenants money to vacate their apartments. In recent years, due in part to

rapidly increasing rents, some owners have engaged in abusive and intimidating behaviors to coerce tenants into accepting these buyout offers and leaving their homes.

Proposed Int. No. 682-A would amend the Housing Maintenance Code's definition of "harassment" to make it unlawful for a dwelling owner to, in connection with a buyout offer: (1) threaten, intimidate, or use profane or obscene language; (2) contact tenants at odd hours or with such frequency as to reasonably be expected to abuse or harass; (3) contact tenants at their place of employment without prior written consent; or (4) knowingly falsify or misrepresent information provided to the tenant.

This local law takes effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

(The following is the text of the Fiscal Impact Statement for Int. No. 287-A:)



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

**LATONIA MCKINNEY,
DIRECTOR**

FISCAL IMPACT STATEMENT

**PROPOSED INTRO. NO.: 287-A
COMMITTEE: Consumer
Affairs**

TITLE: A local law to amend the administrative code of the city of New York, in relation to price displays on all signs posted by gas stations other than signs on dispensing devices

SPONSOR(S): Council Members Arroyo, Koo and Espinal

SUMMARY OF LEGISLATION: The proposed legislation would require that if a gas station chooses to display any signs, posters or placards advertising the price of gasoline that the sign state, at minimum, the lowest grade of gasoline offered for sale and its price per gallon inclusive of all applicable taxes. The bill would also allow gas stations that choose to erect road signs for purposes of advertising their gasoline to oncoming traffic, to post LED signs. Currently, the Department of Consumer Affairs (DCA) issues violations for any signage that does not contain black lettering on white background, as per the Administrative Code.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there will be no impact on revenues resulting from the enactment of this legislation because, even though fines are authorized in cases of non-compliance, full compliance with the law is assumed.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 29, 2014 as Intro. No. 287 and was referred to the Committees on Consumer Affairs. A hearing was held by the Committee on Consumer Affairs on September 18, 2014 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 287-A, will be considered by the Committee on Consumer Affairs on August 11, 2015. Upon successful vote by the

Committee, Proposed Intro. No. 287-A will be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: July 16, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 287-A:)

Int. No. 287-A

By Council Members Arroyo, Koo, Espinal, Dromm, Barron, Eugene, Kallos and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to price displays on all signs posted by gas stations other than signs on dispensing devices

Be it enacted by the Council as follows:

Section 1. Section 20-672 of the administrative code of the city of New York, subdivisions a and d as amended by local law number 31 for the year 1988, subdivisions b and c as amended by local law number 9 for the year 2013, paragraph 2 of subdivision b as added by local law number 9 for the year 2013, subdivision e as relettered by local law number 31 for the year 1988, and subdivision f as added by local law number 77 for the year 1988, is amended to read as follows:

§ 20-672 [Placards to be posted] *Price displays.*

a. Except as provided in subdivision five of section one hundred ninety-two of the agriculture and markets law, it shall be unlawful for any person, in connection with the sale or offer for sale at retail of any petroleum products for use in motor vehicles or motor boats, [other than gasoline or diesel motor fuel,] to post or maintain at such place of sale [or offer to sale,] any sign, placard or other display that states[, relates or refers to] the price at which such petroleum products are sold or offered for sale, except as follows:

1. The price [stated, mentioned or referred to] on such sign, placard or other display[,] shall be *stated* by the unit of the measure at which such petroleum products are customarily sold at retail[.] *and shall include all applicable taxes;*

2. The name, trade name, brand, mark or symbol, and grade or quality classification, if any, and method of processing of such petroleum products shall be clearly stated on such [signs] *sign*, placard or other display, and, if such petroleum products are sold without identification by name, trade name, brand, mark or symbol, such sign, placard or other display shall refer clearly to such petroleum products as unbranded[.];

3. *In relation to the sale of gasoline for use in motor vehicles or motor boats, the price for the lowest grade of gasoline offered for sale shall be stated; and*

b. [In addition to any sign or placard required pursuant to subdivision five of section one hundred ninety-two of the agriculture and markets law, there shall be a sign, poster or placard clearly visible to drivers of approaching motor vehicles on the premises of every location at which gasoline and/or diesel motor fuel are sold or offered for sale. Such sign shall be in a size and style to be determined by the commissioner. Such sign, in addition to any other sign, poster or placard that advertises the selling price of gasoline and directly or indirectly refers to a premises where the advertised gasoline and/or diesel motor fuel are sold or offered for sale, shall state the name, trade name, brand, mark or symbol and grade or quality classification of such gasoline or diesel motor fuel, together with the total selling price per gallon. Total selling price shall be the sum of the basic price per gallon plus all applicable taxes. Such sign, poster or placard shall conform to the rules and regulations of all governmental agencies with jurisdiction as to structure and location.]

[1.] A retail dealer shall only sell [any] *petroleum products* at the [total selling] price *stated on any sign, placard or other display subject to subdivision a of this section.* [Any such price when posted may not be raised for a period of not less than twenty-four hours.] *It shall be unlawful to raise the price stated on any sign, placard or other display subject to subdivision a of this section for at least 24 hours.*

[2. Where the total selling price for purchases made with cash is less than the total selling price for purchases made with credit card, debit card or other form of non-cash payment, such sign, poster or shall state the total selling price for each type of accepted payment.]

c. All numbers referring to price shall be the same height, width and thickness. Identification of the [gasoline or diesel motor fuel] *petroleum products* offered for sale, and any non-numerical language distinguishing the [total cash selling price] *prices charged for different forms of payment* [from the total credit card, debit card or other form of non-cash payment selling price] shall be in letters and numbers not less than one-half of the height, width and thickness of the numbers referring to price. Letters and numbers shall be black on a white background *or displayed on an illuminated light-emitting diode sign.*

d. Price per gallon indicator. Except as otherwise provided in article sixteen of the agriculture and markets law or in any rule or regulations promulgated thereunder, every gasoline or diesel motor fuel dispensing device shall be equipped with a price per gallon indicator [and shall have such indicator] *that shall* correspond with the [total] price per gallon *stated on [the] any sign, [poster or] placard or other display* [required to be posted pursuant to] *subject to* subdivision [five of section one hundred ninety-two of such law or subdivision b] *a of this section.*

e. [Total price] *Price* indicator. Every gasoline or diesel motor fuel dispensing device shall be equipped with a total delivery indicator [, and such indicator] *that shall* record the correct [total] price computed on the basis of [posted] *the stated* price per gallon and number of gallons delivered.

f. Notwithstanding the foregoing, subdivisions a, b and c of this section shall not apply to the posting of information and labeling of dispensing devices with respect to

the lead content of gasoline for motor vehicles, which shall be governed by the provisions of subdivision d and e of section 20-673.1 of this subchapter and any rules or regulations promulgated thereunder, and subdivisions a, b and c of this section shall not apply to the posting of information and labeling of dispensing devices with respect to the octane rating of gasoline for motor vehicles, which shall be governed by the provisions of subdivision d of section 20-673.2 of this subchapter and any rules or regulations promulgated thereunder.

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

RAFAEL L. ESPINAL, Jr., *Chairperson*; KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, August 11, 2015. *Other Council Members Attending: Garodnick.*

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

Report for Int. No. 586-A

Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to signs, posters or placards that advertise gas prices.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on December 17, 2014 (Minutes, page 4526), respectfully

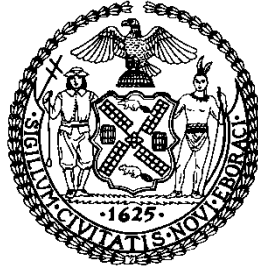
REPORTS:

(For text of the Report, please see the Report for Int. No. 287-A printed above in the Reports of the Committee on Consumer Affairs section of these Minutes.)

The following is the text of the Fiscal Impact Statement for Int. No. 586-A:

August 13, 2015

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

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO.: 586-A

COMMITTEE:

Consumer Affairs

TITLE: A local law to amend the administrative code of the city of New York, in relation to signs, posters or placards that advertise gas prices

SPONSOR(S): Council Members Espinal, Arroyo, Cabrera, Koslowitz, Mealy, King and Johnson

SUMMARY OF LEGISLATION: The proposed legislation would require gas stations that offer a different price for purchases made in cash or other specified form of payment to state the price for each type of accepted payment on any sign, poster or placard that advertises the price of gasoline offered for sale.

EFFECTIVE DATE: This local law would take effect on the same date as a local law amending the administrative code of the city of New York, in relation to price displays on all signs posted by gas stations other than signs on dispensing devices, as proposed in introduction number 287-A for the year 2014, takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there will be no impact on revenues resulting from the enactment of this legislation because, even though fines are authorized in cases of non-compliance, full compliance with the law is assumed.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the Department of Consumer Affairs would use existing resources to implement and enforce this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on December 17, 2014 as Intro. No. 586 and was referred to the Committees on Consumer Affairs. A hearing was held by the Committee on Consumer Affairs on February 24, 2015 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 586-A, will be considered by the Committee on Consumer Affairs on August 11, 2015. Upon successful vote by the Committee, Proposed Intro. No. 586-A will be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: July 16, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 586-A:)

Int. No. 586-A

By Council Members Espinal, Arroyo, Cabrera, Koslowitz, Mealy, King, Johnson, Dromm, Barron, Eugene, Kallos and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to signs, posters or placards that advertise gas prices

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-672 of the administrative code of the city of New York is amended by adding a new paragraph 4 to read as follows:

4. Where the price for purchases made with cash or other specified form of payment is less than the price for purchases made with any other form of payment, such sign, poster, or placard shall state the price for each type of accepted payment.

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§ 2. This local law takes effect on the same date as a local law amending the administrative code of the city of New York relating to price displays on signage in gas stations, as proposed in introduction number 287-A for the year 2014, takes effect.

RAFAEL L. ESPINAL, Jr., *Chairperson*; KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, August 11, 2015. *Other Council Members Attending: Garodnick.*

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

Report for Int. No. 682-A

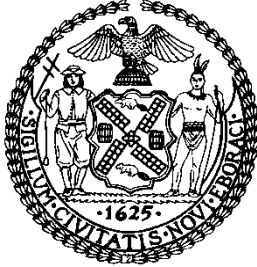
Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to conduct in connection with offers to induce a person to vacate a dwelling unit.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on February 26, 2015 (Minutes, page 615), respectfully

REPORTS:

(For text of the Report, please see the Report for Int. No. 287-A printed above in the Reports of the Committee on Consumer Affairs section of these Minutes.)

The following is the text of the Fiscal Impact Statement for Int. No. 682-A:



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

**LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO.: 682-A
COMMITTEE:
Consumer Affairs**

TITLE: A local law to amend the administrative code of the city of New York, in relation to conduct in connection with offers to induce a person to vacate a dwelling unit

SPONSOR(S): Council Members Garodnick, Williams, Chin, Constantinides, Gibson, King, Koslowitz, Lancman, Levin, Richards, Rose, Rosenthal, Van Bramer, Cohen, Cumbo, Barron, Kallos, Mendez and Rodriguez

SUMMARY OF LEGISLATION: The proposed legislation would place reasonable time, place and manner restrictions on the manner in which buyout offers are made to protect tenants from harassment while still allowing owners and tenants to engage in buyout negotiations.

The proposed legislation prohibits doing any of the following in connection with a “buyout offer” (offering a tenant money or something else to vacate their apartment):

- Threatening, intimidating, or using profane/obscene language;
- Initiating communication with such frequency, at such odd hours or in any other way that can be reasonably expected to abuse or harass the tenant;
- Initiating communication at the tenant’s place of employment; or
- Knowingly falsifying or misrepresenting any information provided to the tenant.

EFFECTIVE DATE: This local law would take effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

August 13, 2015

3000

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources will be used to implement and enforce this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Emre Edev, Unit Head
Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 26, 2015 as Intro. No. 682 and was referred to the Committee on Consumer Affairs. Following a hearing jointly held by the Committee on Consumer Affairs and the Committee on Housing and Buildings on April 29, 2015, the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 682-A, will be considered by the Committee on Consumer Affairs on August 11, 2015. Upon successful vote by the Committee, Proposed Intro. No. 682-A will be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: August 7, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 682-A:)

Int. No. 682-A

By Council Members Garodnick, Williams, Chin, Constantinides, Gibson, King, Koslowitz, Lancman, Levin, Richards, Rose, Rosenthal, Van Bramer, Cohen, Cumbo, Barron, Kallos, Mendez, Rodriguez and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to conduct in connection with offers to induce a person to vacate a dwelling unit

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent and findings. a. The council finds and declares that:

1. Although there are legitimate reasons for building owners to offer tenants money or other valuable consideration to vacate their apartments, in recent years, and due in part to rapidly increasing rents, some owners have engaged in abusive and intimidating behaviors to coerce such tenants into accepting these buyout offers and leaving their homes; and

2. The rights of building owners to make these buyout offers must be balanced with the rights of tenants to negotiate or refuse such offers and to be free of harassment.

b. As a result, it is necessary and appropriate to place reasonable time, place and manner restrictions on the making of these buyout offers in order to protect tenants from harassment while still allowing owners and tenants to engage in negotiations over such offers.

§ 2. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new subparagraph f-3 to read as follows:

f-3. offering money or other valuable consideration to a person lawfully entitled to occupancy of such dwelling unit to induce such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy while engaging in any of the following types of conduct:

(1) threatening, intimidating or using obscene language;

(2) initiating communication with such frequency, at such unusual hours or in such a manner as can reasonably be expected to abuse or harass such person;

(3) initiating communication at the place of employment of such person without the prior written consent of such person; or

(4) knowingly falsifying or misrepresenting any information provided to such person; or

§ 3. This local law takes effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York

August 13, 2015

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relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

RAFAEL L. ESPINAL, Jr., *Chairperson*; KAREN KOSLOWITZ, RORY I. LANCMAN; Committee on Consumer Affairs, August 11, 2015. *Other Council Members Attending: Garodnick.*

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

Report of the Committee on Finance

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

Report for Res. No. 817

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

The Committee on Finance, to which the annexed resolution was referred on August 13, 2015, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 26, 2015, the Council adopted the expense budget for fiscal year 2016 with various programs and initiatives (the “Fiscal 2016 Expense Budget”). On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”).

Analysis. This Resolution, dated August 13, 2015, approves the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, approves the new designation and changes in the designation of certain organizations receiving local and youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, approves a change in the

designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget and certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget.

In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving local, aging, and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, local and youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, and local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as well as amendments to the Description/Scope of Services of certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget and certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget.

This Resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 1; sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 3; sets forth the new designation and changes in the designation of funding pursuant to certain initiatives in the Fiscal 2016 Expense Budget, as described in Charts 4-27; sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 28; sets forth a change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 29; sets forth a change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 30; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as described in Chart 31; and amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as described in Chart 32.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2016 Expense Budget, dated June 26, 2015, Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, and Adjustments Summary/Schedule C/Fiscal 2014 Expense Budget, dated June 27, 2013.

Specifically, Chart 1 sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 3 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 4 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget. All of these changes will be effectuated upon a budget modification.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Borowide Needs Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 7 sets forth the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 8 sets forth the new designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 9 sets forth the new designation of a certain organization receiving funding pursuant to the HPD Home Loan Program Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 10 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Community Consultant Contracts Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minor Children and Families Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 13 sets forth the new designation and the change in the designation, specifically a change to the administering agency, of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2016 Expense Budget. All of these changes will be effectuated upon a budget modification.

Chart 14 sets forth the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the MHy Services – Chemical Dependency Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 16 sets forth the new designation of certain organizations receiving funding pursuant to the MHy Services – Developmental Disabilities Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 17 sets forth the new designation of certain organizations receiving funding pursuant to the MHy Services – Mental Health Providers Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 18 sets forth the new designation of certain organizations receiving funding pursuant to the Mental Health Contracts Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 19 sets forth the new designation of certain organizations receiving funding pursuant to the Medicaid Redesign Transition Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 20 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Day Laborer Workforce Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 21 sets forth the new designation of certain organizations receiving funding pursuant to the Create New Technology Incubators Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 22 sets forth the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Small Business/Job Development/Financial Literacy Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 23 sets forth the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 24 sets forth the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the MWBE Leadership Associations Literacy Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 25 sets forth the new designation of certain organizations receiving funding pursuant to the Holocaust Survivors Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 26 sets forth the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – School Based Conflict Mediation in accordance with the Fiscal 2016 Expense Budget.

Chart 27 sets forth the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services in accordance with the Fiscal 2016 Expense Budget.

Chart 28 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 29 sets forth the change in the designation, specifically a name change, of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 30 sets forth the change in the designation, specifically a name change, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 31 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 32 amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other

government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2014, Fiscal 2015, and Fiscal 2016 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 817:)

Res. No. 817

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

By Council Members Ferreras-Copeland and Koo.

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

Whereas, On June 26, 2014 the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014, Fiscal 2015, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in

accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Borowide needs Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HPD Home Loan Program Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Consultant Contracts Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minor Children and Families Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Chemical Dependency Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Developmental Disabilities Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Mental Health Providers Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Mental Health Contracts Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Medicaid Redesign Transition Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Day Laborer Workforce Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Create New Technology Incubators Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Small Business/Job Development/Financial Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Worker Cooperative Business

Development Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the MWBE Leadership Associations Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Holocaust Survivors Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – School Based Conflict Mediation in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation, specifically a name change, of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation, specifically a name change, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 32.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2016

Member	Organization	Organization	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Speaker	New York Public Library Astor Lenox and Tilden Foundations	NYPL-R	035	001				
Speaker	Schomburg Center for Research in Black Culture	NYPL-R	035	001				
Speaker	Boro Park Jewish Community Council**	DFTA	(\$25,000.00)	125	003			
Speaker	Boro Park Jewish Community Council**	DYCD	\$25,000.00	260	005			
Gentile	English Evangelical Lutheran Church of the Good Shepherd	DYCD	(\$1,000.00)	260	005			
Gentile	English Evangelical Lutheran Church of the Good Shepherd	DYCD	\$1,000.00	260	005	NIA Community Services Network, Inc.	11-2697931	
Kallos	Department of Parks and Recreation	DPR	(\$7,500.00)	846	006			
Kallos	City Parks Foundation	DPR	\$7,500.00	846	006			
Arroyo	Word of Life International, Inc.**	DYCD	(\$20,000.00)	260	005			
Arroyo	Shakespeare Society, Inc.**	DCLA	\$10,000.00	126	003			
Arroyo	Food Bank for New York City, The**	DSSHRA	\$3,271.00	069	105			
Arroyo	New York City Housing Authority**	NYCHA	\$6,729.00	098	002			
Johnson	Hudson Guild**	DYCD	(\$46,000.00)	126	003			
Johnson	Hudson Guild**	DYCD	\$46,000.00	260	312			
Ulrich	Department of Parks and Recreation**	DPR	(\$15,000.00)	846	006			
Ulrich	Roxbury Volunteer Emergency Services, Inc.**	FDNY	\$5,000.00	057	005			
Ulrich	Swim Strong Foundation, Inc.**	DYCD	\$5,000.00	260	312			
Ulrich	ACTS Community Development Corporation**	DYCD	\$5,000.00	260	005			
Richards	Bed-Stuy Campaign Against Hunger, Inc.**	DYCD	(\$5,000.00)	260	005			
Richards	Doe Fund, Inc., The**	DHS	\$5,000.00	071	200			
Mendez	Project Girl Performance Collective Institute	DCLA	(\$3,500.00)	126	003			
Mendez	Girl Be Heard Institute	DCLA	\$3,500.00	126	003			
Vallone	Department of Cultural Affairs	DCLA	(\$10,000.00)	126	003			
Vallone	Alley Pond Environmental Center, Inc.	DCLA	\$5,000.00	126	003			
Vallone	Bayside Historical Society	DCLA	\$4,000.00	126	003			
Vallone	Department of Parks and Recreation**	DPR	(\$20,500.00)	846	006			
Vallone	Department of Cultural Affairs**	DCLA	(\$10,000.00)	126	003			
Vallone	GSAC, Inc.**	DOHMH	\$5,000.00	816	121			
Vallone	DeSales Media Group Inc**	DYCD	\$5,000.00	260	005			
Vallone	Coalition for Queens Inc**	DSBS	\$5,000.00	801	002			
Vallone	Chabad of Northeast Queens**	DFTA	\$5,000.00	125	003			
Vallone	Center for the Women of New York, Inc., The**	DYCD	\$5,000.00	260	005			
Vallone	Department of Sanitation**	DSNY	\$5,500.00	827	109			
Vallone	New York Junior Tennis League, Inc.	DYCD	(\$10,000.00)	260	312			
Vallone	Selfhelp Community Services, Inc.	DYCD	\$10,000.00	260	312			
Vallone	Selfhelp Community Services, Inc.**	DYCD	(\$10,000.00)	260	312			
Vallone	Selfhelp Community Services, Inc.**	DFTA	\$10,000.00	125	003			

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

CHART 1: Local Initiatives - Fiscal 2016 (Continued)

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Comegy	Department of Transportation **	13-6400434	DOT	(\$1,500,000)	841	004		
Cabrera	New York City Housing Authority **	13-6400434	NYCHA	\$1,500,000	098	002		
Cabrera	Brooklyn Steppers, Inc., The **	27-1223035	DCLA	(\$15,000,000)	126	003		
Cabrera	Fedcap Rehabilitation Services, Inc. **	13-5646879	DYCD	(\$7,000,000)	260	005		
Cabrera	Fordham Road District Management Association, Inc., The **	26-0117797	DSBS	(\$10,000,000)	801	002		
Cabrera	Administration for Children's Services **	13-6400434	ACS	\$32,000,000	068	004		
Cabrera	Moshulu Preservation Corporation **	13-3109387	DYCD	(\$5,000,000)	260	005		
Cabrera	Moshulu Preservation Corporation **	13-3109387	DYCD	(\$10,000,000)	260	005		
Cabrera	Moshulu Preservation Corporation **	13-3109387	DYCD	(\$10,000,000)	260	005		
Cabrera	Fire Department of New York **	13-6400434	FDNY	\$9,000,000	057	005		
Cabrera	City University of New York School of Law Foundation, Inc., The **	11-3235349	CUNY	\$7,500,000	042	001		
Cabrera	Department of Parks and Recreation **	13-6400434	DPR	\$3,500,000	846	006		
Cabrera	Administration for Children's Services **	13-6400434	ACS	\$5,000,000	068	004		
Torres	Morris Park Community Association **	23-7429900	DFTA	(\$5,000,000)	125	003		
Torres	Morris Park Community Association **	23-7429900	DYCD	\$5,000,000	260	005		
Dickens	American Legion Colonel Charles Young Post #398	13-6272129	DYCD	(\$5,000,000)	260	312		
Dickens	St. Aloysius Education Clinic	13-3415339	DYCD	\$5,000,000	260	312		
Dickens	African American Women In Cinema **	13-4151020	DYCD	(\$5,000,000)	260	005		
Dickens	New Heritage Theatre Group, Inc. **	13-26883678	DCLA	\$5,000,000	126	003		
Constantinides	Cypreco of America, Inc. **	11-2644226	DCLA	(\$5,000,000)	126	003		
Constantinides	Cypreco of America, Inc. **	11-2644226	DOITT	\$5,000,000	858	002		
Speaker	Bank Street College of Education**	13-5562167	DYCD	(\$45,000,000)	260	312		
Speaker	New 42nd Street, Inc., The**	13-3564032	DCLA	\$45,000,000	126	003		

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

CHART 2: Aging Discretionary - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Gentile	Older Adults Technology Services (OATS), Inc.	55-0882589	DFTA	(\$500.00)	125	003		
Gentile	Met Council Research and Educational Fundg, Inc.	13-3580918	DFTA	\$500.00	125	003		

* Indicates pending completion of pre-qualification review.

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

CHART 3: Youth Discretionary - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Koslowitz	Roman Catholic Church of Our Lady Queen Of Martyrs	11-1687469	DYCD	(\$6,000.00)	260	312		
Koslowitz	Roman Catholic Church of Our Lady Queen Of Martyrs	11-1687469	DYCD	\$6,000.00	260	312	Maspeth Town Hall, Inc.	23-7259702
Gentile	Brooklyn Extreme Flag Football, Inc.	26-0789598	DYCD	(\$1,500.00)	260	312		
Gentile	Brooklyn Extreme Flag Football, Inc.	26-0789598	DYCD	\$1,500.00	260	312	Bay Ridge Bensonhurst Beautification and Preservation Alliance, Inc.	11-3233233
Gentile	US Wallball Association Inc., The	45-3569022	DYCD	(\$3,000.00)	260	312		
Gentile	Ridge Chorale, Inc.	11-5254993	DYCD	\$3,000.00	260	312		
Cumbo	Day One New York, Inc.	06-1103000	DYCD	(\$2,500.00)	260	312		
Cumbo	Day One New York, Inc.	06-1103000	DYCD	\$2,500.00	260	312	New York Legal Assistance Group, Inc.	13-5505428 *
Richards	St. Albans Multipurpose Community Center, Inc.	11-3137355	DYCD	(\$5,000.00)	260	312		
Richards	St. Albans Congregational Church	11-2077266	DYCD	\$5,000.00	260	312		
Vallone	Selfhelp Community Services, Inc.	13-1624178	DYCD	(\$10,000.00)	260	312		
Vallone	New York Junior Tennis League, Inc.	23-7442256	DYCD	\$10,000.00	260	312		

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

CHART 4: Anti-Poverty Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Cabrera	Bronx Parent Housing Network, Inc.**	13-4100758	HPD	(\$10,000.00)	806	009		*
Cabrera	Drama Club, Inc.**	30-0836573	DYCD	(\$5,000.00)	260	312		
Cabrera	Kips Bay Boys & Girls Club**	13-1623850	DYCD	\$6,000.00	260	312		*
Cabrera	Phipps Community Development Corporation**	13-2707665	DYCD	\$2,500.00	260	312		*
Cabrera	Department of Parks and Recreation**	13-6400434	DPR	\$6,500.00	846	006		*
Vacca	Bronx Arts Ensemble, Inc.**	51-0186869	DCLA	(\$10,000.00)	126	003		*
Vacca	Throggs Neck Girls Softball Little League**	80-0198302	DYCD	\$5,000.00	260	312		*
Vacca	New York City Housing Authority**	13-6400434	NYCHA	\$3,000.00	098	002		*
Vacca	City Island Historical Society**	11-2734516	DCLA	\$2,000.00	126	003		*

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

CHART 5: Borowide Needs Initiative - Fiscal 2016

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN *
Brooklyn Delegation	Kappa Alpha Psi Fraternity - Brooklyn-Long Island Alumni Chapter	23-7279448	DYCD	(\$5,000.00)	260	005		
Brooklyn Delegation	One Brooklyn Fund, Inc.	46-5189061	DYCD	\$5,000.00	260	005		*

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

CHART 6: Cultural After School Adventure (CASA) - Fiscal 2016

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Cultural Affairs	13-6400434	DCLA	(\$580,000.00)	126	
Torres	Young Men's & Young Women's Hebrew Association - Theatre Arts Production Company School	13-1624229	DCLA	\$20,000.00	126	003
Torres	Bronx River Art Center, Inc. - PS 70 Max Schoerfeld	13-3261148	DCLA	\$20,000.00	126	003
Torres	Girl Be Heard Institute - MS 118 William W. Niles	27-1848709	DCLA	\$20,000.00	126	003
Torres	Groundswell Community Mural Project - IS 254	11-3427213	DCLA	\$20,000.00	126	003
Torres	Little Orchestra Society Orpheon Inc., The - PS 96 Richard Rodgers	13-2638292	DCLA	\$20,000.00	126	003
Torres	Marquis Studios - PS 57 Crescent	13-3047206	DCLA	\$20,000.00	126	003
Torres	Midori Foundation, Inc. - PS 85 Great Expectations	13-3682472	DCLA	\$20,000.00	126	003
Torres	Center for Urban Pedagogy - Jonas Bronck Academy	11-3625306	DCLA	\$20,000.00	126	003
CD28	Community Works, Inc. - Public School 080	13-3580813	DCLA	(\$20,000.00)	126	003
CD28	Alvin Alley Dance Foundation, Inc - PS 80	13-2584273	DCLA	\$20,000.00	126	003
CD28	Studio in a School Association, Inc. - MS 8	13-3003112	DCLA	\$20,000.00	126	003
Levine	92nd Street Y (Young Men's and Young Women's Hebrew Association) - Teachers College Community School	13-1624229	DCLA	\$20,000.00	126	003
CD23	Queens Botanical Garden Society, Inc. - The Douglaiston School	11-1635083	DCLA	\$20,000.00	126	022
Barron	Arts East New York, Inc. - East New York Family Academy	27-0889467	DCLA	\$20,000.00	126	003
Barron	Ifelayo Cultural Arts Academy, Inc - P.S. 165 Ida Posner School	11-3027538	DCLA	\$20,000.00	126	003
Barron	Man Upl Inc. - Van Stielen Community School	03-0553092	DCLA	\$20,000.00	126	003
Barron	Man Upl Inc. - P.S. 311 Essence School	03-0553092	DCLA	\$20,000.00	126	003
Barron	Purelements: An Evolution in Dance - P.S. 325 Fresh Creek School	20-5332584	DCLA	\$20,000.00	126	003
Barron	Purelements: An Evolution in Dance - P.S. 184 Newport School	20-5332584	DCLA	\$20,000.00	126	003
Barron	BRIC Arts Media Bklyn, Inc. - P.S. 306 Ethan Allen School	11-2547268	DCLA	\$20,000.00	126	003
Barron	Studio in a School Association, Inc. - P.S. 328 Phyllis Wheatley	13-3003112	DCLA	\$20,000.00	126	003
Dickens	Hester Street Collaborative, Inc. - Harlem Renaissance High School	20-0774906	DCLA	\$20,000.00	126	003
Dickens	Research Foundation of CUNY - Creative Arts Team - P.S 197 John B. Russwurm	13-1988190	DCLA	(\$20,000.00)	126	003
Dickens	Girl Be Heard Institute - P.S. 75 Horan School	27-1848709	DCLA	\$20,000.00	126	003
Dickens	Society of the Educational Arts, Inc. (SEA) - P.S 197 John B. Russwurm	11-3210593	DCLA	\$20,000.00	126	003
Mark-Viverito	Caribbean Cultural Center/African Diaspora Institute - PS 369X	13-3054001	DCLA	\$20,000.00	126	003
Mark-Viverito	Arlete Education, Inc. - MS 223X	80-0789207	DCLA	\$20,000.00	126	003

* Indicates pending completion of pre-qualification review.

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

CHART 6: Cultural After School Adventure (CASA) - Fiscal 2016 (continued)

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
Greenfield	Brooklyn Arts Council, Inc. - PS 99 (Isaac Asimov School)	23-7072915	DCLA	\$20,000.00	126	003 *
Greenfield	Brooklyn Arts Council, Inc. - PS 192	23-7072915	DCLA	\$20,000.00	126	003 *
Greenfield	Brooklyn Arts Council, Inc. - IS 96	23-7072915	DCLA	\$20,000.00	126	003 *
Greenfield	Brooklyn Arts Council, Inc. - St. Athanasius School	23-7072915	DCLA	\$20,000.00	126	003 *
Greenfield	Brooklyn Arts Council, Inc. - Yeshiva of Flatbush	23-7072915	DCLA	\$20,000.00	126	003 *
Greenfield	American Museum of Natural History - Isaac Shalom Elementary School	13-6162659	DCLA	\$20,000.00	126	003 *
Greenfield	Jewish Children's Museum - Beth Jacob of Boro Park	13-3798344	DCLA	\$20,000.00	126	022 *

* Indicates pending completion of pre-qualification review.

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

CHART 7: Parks Equity Initiative - Fiscal 2016

Member	Organization - Park	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Parks and Recreation	13-6400434	DPR	(\$1,284,000.00)	846	006
Maisel	Marine Park Community Association - Marine Park	11-3332730	DPR	\$6,000.00	846	006
Maisel	Marine Park Alliance Corp. - Marine Park	46-3291341	DPR	\$6,000.00	846	006
Maisel	Department of Parks and Recreation - Salt Marsh Nature Center @ Marine Park	13-6400434	DPR	\$6,000.00	846	006
Maisel	Department of Parks and Recreation - Seaview Park	13-6400434	DPR	\$6,000.00	846	006
Cumbo	Brooklyn Queens Land Trust - TBD	61-1441052	DPR	\$12,000.00	846	006
Cumbo	Museum of Contemporary African Diasporan Arts - TBD	11-3526774	DPR	\$12,000.00	846	006
Espinal	Conunon on the environment, inc. - St. John's Campus Parisi Garden and run street Community	13-2765465	DPR	\$12,000.00	846	006
Espinal	Brooklyn Community Services - TLC Garden	11-1630780	DPR	\$6,000.00	846	006
Espinal	Department of Parks and Recreation - TBD	13-6400434	DPR	\$6,000.00	846	006
Koslowitz	City Parks Foundation - Yellowstone Park	13-3561657	DPR	\$6,000.00	846	006
Koslowitz	City Parks Foundation - MacDonald Park	13-3561657	DPR	\$6,000.00	846	006
Koslowitz	City Parks Foundation - Sobelsohn Park	13-3561657	DPR	\$6,000.00	846	006
Koslowitz	City Parks Foundation - Playground 62	13-3561657	DPR	\$6,000.00	846	006
Greenfield	Midwood Development Corporation - Parks in CD44	11-2420752	DPR	\$18,000.00	846	006
Greenfield	New York Restoration Project - Friend's Field	13-3959056	DPR	\$6,000.00	846	006
Richards	Bed-Stuy Campaign Against Hunger, Inc. - The Healing Garden at Far Rock Farm	20-0934854	DPR	\$6,000.00	846	006
Richards	City Parks Foundation - Brookville Park	13-3561657	DPR	\$6,000.00	846	006
Richards	City Parks Foundation - Springfield Park	13-3561657	DPR	\$12,000.00	846	006
Constantinides	Department of Parks and Recreation - Astoria Park	13-6400434	DPR	\$18,000.00	846	006
Constantinides	City Parks Foundation - Astoria Heights Playground	13-3561657	DPR	\$6,000.00	846	006
Vacca	Department of Parks and Recreation - Colucci Park - Ferry Point Park at Balcom Avenue and Schley Avenue	13-6400434	DPR	\$24,000.00	846	006
Reynoso	Open Space Alliance for North Brooklyn, Inc. - Sternberg Park	01-0849087	DPR	\$6,000.00	846	006
Reynoso	Open Space Alliance for North Brooklyn, Inc. - Marcy and Rodney Parks	01-0849087	DPR	\$6,000.00	846	006
Reynoso	Sure We Can, Inc. - Urban Recycle Garden	26-1217947	DPR	\$6,000.00	846	006
Reynoso	EcoStation NY, Inc - Maria Hernandez Park	27-0626902	DPR	\$6,000.00	846	006
Lancman	Department of Parks and Recreation - Hoover-Manton Playgrounds	13-6400434	DPR	\$12,000.00	846	006
Lancman	Department of Parks and Recreation - Electric Playground	13-6400434	DPR	\$12,000.00	846	006
Treyger	Friends of Kaiser Park, Inc. - Kaiser Park	20-0763333	DPR	\$6,000.00	846	006
Treyger	Department of Parks and Recreation - Parks in CD47	13-6400434	DPR	\$18,000.00	846	006
Gentile	Narrows Botanical Garden, Inc., The - Shore Road Park	11-3382931	DPR	\$10,000.00	846	006

* Indicates pending completion of pre-qualification review.

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

CHART 7: Parks Equity Initiative - Fiscal 2016 (continued)

Member	Organization - Park	EIN Number	Agency	Amount	Agy #	U/A *
Gentile	Department of Parks and Recreation - Owl's Head Park	13-6400434	DPR	\$6,000.00	846	006 *
Gentile	Shore Road Parks Conservancy Corporation - Owl's Head Park	27-4519798	DPR	\$8,000.00	846	006 *
Deutsch	Department of Parks and Recreation - TBD	13-6400434	DPR	\$14,000.00	846	006 *
Deutsch	Department of Parks and Recreation - TBD	13-6400434	DPR	\$10,000.00	846	006 *
Vallone	Department of Parks and Recreation - Crocheron Park, Macneil Park, Fort Totten Park	13-6400434	DPR	\$24,000.00	846	006 *
Matteo	Friends of Westleigh Park - Westleigh park	13-4176426	DPR	\$6,000.00	846	006 *
Matteo	Protectors of Pine Oak Woods - Greenbelt	51-0161823	DPR	\$6,000.00	846	006 *
Matteo	New Dorp Beach Civic Association, Inc - New Dorp Beach Park	46-2627531	DPR	\$6,000.00	846	006 *
Matteo	South Beach Civic Association Inc - South Beach Park	71-0916558	DPR	\$6,000.00	846	006 *
Cohen	Van Cortlandt Park Conservancy - Van Cortlandt Park	80-0361646	DPR	\$6,000.00	846	006 *
Cohen	Friends of Van Cortlandt Park - Van Cortlandt Park	13-3843182	DPR	\$6,000.00	846	006 *
Cohen	City Parks Foundation - Moshulu Park	13-3561657	DPR	\$6,000.00	846	006 *
Cohen	Department of Parks and Recreation - Jerome Park Reservoir	13-6400434	DPR	\$6,000.00	846	006 *
Williams	Wyckoff House Association - Fidler-Wyckoff House Park	11-2615053	DPR	\$6,000.00	846	006 *
Williams	City Parks Foundation - Amersfort Park	13-3561657	DPR	\$6,000.00	846	006 *
Williams	Brooklyn Queens Land Trust, The - East 43rd Street Community Garden	61-1441052	DPR	\$6,000.00	846	006 *
Dickens	Department of Parks and Recreation - Clayton Williams Garden	13-6400434	DPR	\$6,000.00	846	006 *
Dickens	Department of Parks and Recreation - A. Philip Randolph Square	13-2765465	DPR	\$6,000.00	846	006 *
Dickens	Harlem Grown - Harlem Grown	27-4250636	DPR	\$6,000.00	846	006 *
Dickens	Council on the Environment, Inc. - Electric Ladybug Garden	13-2765465	DPR	\$6,000.00	846	006 *
Miller	Southern Queens Park Association - Roy Wilkins Southern Queens Park	11-2432846	DPR	\$12,000.00	846	006 *
Miller	Friends of Roy Wilkins Park, Inc. - Roy Wilkins Southern Queens Park	20-1398389	DPR	\$6,000.00	846	006 *
Miller	Brooklyn Queens Land Trust - Merrick-Mansden Neighbors Association Inc. Garden II, 117-02 Merrick Blvd.	61-1441052	DPR	\$6,000.00	846	006 *
Ulrich	Department of Parks and Recreation - District 32	13-6400434	DPR	\$24,000.00	846	006 *
King	Building13 Association Inc - Rivers Run Community Garden (RRCG)	13-4169405	DPR	\$8,000.00	846	006 *
King	Bissel Gardens, Inc. - Bissel Gardens	13-3984879	DPR	\$8,000.00	846	006 *
King	East 222nd Street Block Association - East 222nd Street	NA	DPR	\$8,000.00	846	006 *
Rodriguez	City Parks Foundation - Inwood Hill Park	13-3561657	DPR	\$6,000.00	846	006 *
Rodriguez	City Parks Foundation - Inwood Hill Park	13-3561657	DPR	\$6,000.00	846	006 *
Rodriguez	City Parks Foundation - Fort Tyron Park- Dog Run	13-3561657	DPR	\$6,000.00	846	006 *
Rodriguez	Department of Parks and Recreation - Fort Tyron Park	13-6400434	DPR	\$6,000.00	846	006 *

* Indicates pending completion of pre-qualification review.

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

CHART 7: Parks Equity Initiative - Fiscal 2016 (continued)

Member	Organization - Park	EIN Number	Agency	Amount	Agy #	U/A *
Torres	City Parks Foundation - Zimmerman Playground	13-3561657	DPR	\$6,000.00	846	006 *
Torres	City Parks Foundation - Quarry Ballfields	13-3561657	DPR	\$6,000.00	846	006 *
Torres	City Parks Foundation - Bronx Park East (Waring Playground)	13-3561657	DPR	\$6,000.00	846	006 *
Torres	City Parks Foundation - Edgar Allan Poe Park	13-3561657	DPR	\$6,000.00	846	006 *
Levine	City Parks Foundation - Riverside Oval Park	13-3561657	DPR	\$6,000.00	846	006 *
Levine	Department of Parks and Recreation - D7 Playgrounds	13-84000434	DPR	\$6,000.00	846	006 *
Levine	Council on the Environment, Inc. - D7 Park (TBD)	13-2765465	DPR	\$6,000.00	846	006 *
Koo	City Parks Foundation - Margaret I. Carman Green / Weeping Beech Park	13-3561657	DPR	\$6,000.00	846	006 *
Koo	Green Earth Urban Gardens Inc - Margaret I. Carman Green / Weeping Beech Park, Maple Playground, and the Old Town of Flushing Burial Ground	45-2540199	DPR	\$12,000.00	846	006 *
Koo	Queensboro Hill Neighborhood Association - Kissena Corridor Park	80-0835335	DPR	\$6,000.00	846	006 *
Gibson	Council on the Environment, Inc. - College Avenue Park	13-2765465	DPR	\$6,000.00	846	006 *
Gibson	Council on the Environment, Inc. - Jacqueline Denise Davis Garden	13-2765465	DPR	\$6,000.00	846	006 *
Gibson	Citizen's Committee for New York City - Mount Eden Malls and Claremont Park	51-0171818	DPR	\$6,000.00	846	006 *
Gibson	City Parks Foundation - Drew Park	13-3561657	DPR	\$6,000.00	846	006 *
Garodnick	Friends of Dag Hammarskjold Plaza - Dag Hammarskjold Plaza	13-3749587	DPR	\$8,000.00	846	006 *
Garodnick	Friends of Stuycove Park - Stuycove Park	11-3582255	DPR	\$8,000.00	846	006 *
Garodnick	City Parks Foundation - TBD	13-3561657	DPR	\$8,000.00	846	006 *
Rose	City Parks Foundation - Tappen Park and Thompkinsville Park	13-3561657	DPR	\$6,000.00	846	006 *
Rose	HEALTH for Youths - The edge of Skyline Playground	26-4612691	DPR	\$6,000.00	846	006 *
Rose	Friends of Graniteville Quarry- Mariners Harbor Civic Association - Graniteville Quarry	46-3167209	DPR	\$6,000.00	846	006 *
Rose	Public School 57R - Elbs Pond	13-84000434	DPR	\$6,000.00	846	006 *
Barron	United Community Centers - TBD	11-1950787	DPR	\$18,000.00	846	006 *
Barron	Man-Upl - TBD	03-0553092	DPR	\$6,000.00	846	006 *
Mark-Viverito	Civitas Citizens Inc. - East River Esplanade	13-3132603	DPR	\$6,000.00	846	006 *
Mark-Viverito	Department of Parks and Recreation - GreenThumb - East Harlem Community Gardens	13-6400434	DPR	\$6,000.00	846	006 *
Mark-Viverito	Department of Parks and Recreation - GreenThumb - La Isla Garden	13-84000434	DPR	\$12,000.00	846	006 *
Van Bramer	Hip to Hip Theatre - Windmiller Park	26-4049629	DPR	\$6,000.00	846	006 *
Van Bramer	Smiling Hogsheed Ranch - Smiling Hogsheed Ranch	16-1760622	DPR	\$6,000.00	846	006 *
Van Bramer	Hunters Point Park Conservancy - Hunters Point South Park	47-3613599	DPR	\$6,000.00	846	006 *
Van Bramer	Central Astoria Local Development Corp. - Dutch Kills Playground	11-2652331	DPR	\$6,000.00	846	006 *
Kallos	Manhattan Chamber of Commerce Foundation, Inc. - Ruppert Park	13-4016593	DPR	\$12,000.00	846	006 *
Kallos	Friends of the East River Esplanade 60th-120th Streets, Inc. - East River Esplanade	46-0542653	DPR	\$6,000.00	846	006 *

* Indicates pending completion of pre-qualification review.

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

CHART 7: Parks Equity Initiative - Fiscal 2016 (continued)

Member	Organization - Park	EIN Number	Agency	Amount	Agy #	U/A *
Kallos	Sutton Place Parks Conservancy, Inc. - Sutton Place Park	47-4054653	DPR	\$6,000.00	846	006 *
Dromm	Jackson Heights Green Alliance, Inc. - 74th Street Trees	26-4725337	DPR	\$24,000.00	846	006 *
CD51	Friends of Blue Heron Park, Inc. - Blue Heron Park	13-3073882	DPR	\$6,000.00	846	006 *
CD51	Staten Island Youth Soccer League, Inc. - Owl's Hollow Park	32-0048308	DPR	\$6,000.00	846	006 *
CD51	Staten Island Historical Society - Richmondtown	13-1985514	DPR	\$6,000.00	846	006 *
CD51	Citizens Committee for New York City, Inc. - CD51	51-0171818	DPR	\$6,000.00	846	006 *
CD23	City Parks Foundation - CD23	13-3561657	DPR	\$24,000.00	846	006 *
CD28	City Parks Foundation - CD28	13-3561657	DPR	\$24,000.00	846	006 *
Citywide	City Parks Foundation - Citywide	13-3561657	DPR	\$426,000.00	846	006 *

* Indicates pending completion of pre-qualification review.

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

CHART 8: NYC Digital Inclusion and Literacy Initiative - Fiscal 2016

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A *
	Department Youth Services and Community Development (DYCD)	13-6400434	DYCD	(\$100,000.00)	260	005
Mendez	Computers for Youth Foundation, Inc. - Public School 188M	13-3935309	DYCD	\$20,000.00	260	005
Barron	BRIC Arts Media Bklyn, Inc. - New Lots Library	11-2547268	DYCD	\$20,000.00	260	005
Dronm	Computers for Youth Foundation, Inc. - Public School 89Q	13-3935309	DYCD	\$20,000.00	260	005
Koo	Selfhelp Community Services, Inc. - TBD	13-1624178	DYCD	\$20,000.00	260	005
Deutsch	Shorefront YM-YWHA of Brighton-Manhattan Beach, Inc. - TBD	11-3070228	DYCD	\$20,000.00	260	005

* Indicates pending completion of pre-qualification review.

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

CHART 9: HPD Home Loan Program Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Housing Preservation and Development	13-6400434	HPD	(\$2,000,000.00)	806	009	
Neighborhood Housing Services Of New York City, Inc.	13-3098397	HPD	\$2,000,000.00	806	009	*

* Indicates pending completion of pre-qualification review.

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

CHART 10: Community Consultant Contracts Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Belmont Arthur Avenue Local Development Corporation	13-3020589	HPD	(\$1.00)	806	009	
Bridge Street Development Corporation	11-3250772	HPD	(\$1.00)	806	009	
Brighton Neighborhood Association, Inc.	11-2435523	HPD	(\$1.00)	806	009	
Central Astoria Local Development Coalition, Inc.	11-2652331	HPD	(\$1.00)	806	009	
Clinton Housing Development Company, Inc.	13-2851988	HPD	(\$1.00)	806	009	
Community League of the Heights, Inc.	13-2564241	HPD	(\$1.00)	806	009	
EI Barrios Operation Fightback, Inc.	13-3248777	HPD	(\$1.00)	806	009	
Eviction Intervention Services Homelessness Prevention, Inc.	13-3311582	HPD	(\$1.00)	806	009	
Good Old Lower East Side, Inc.	13-2915659	HPD	(\$1.00)	806	009	
Gowanus Canal Community Development Corporation	11-2498292	HPD	(\$1.00)	806	009	
Neighborhood Housing Services Of East Flatbush	13-3098397	HPD	(\$1.00)	806	009	
United Jewish Council of the East Side, Inc.	13-2735378	HPD	(\$1.00)	806	009	

* Indicates pending completion of pre-qualification review.

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

CHART 11: Autism Awareness Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$2,000,000.00)	816	121
Heartshare Human Services of New York	11-1633549	DOHMH	\$78,540.00	816	121
YAI/National Institute for People with Disabilities Network	11-2030172	DOHMH	\$69,000.00	816	121
Resources for Children with Special Needs, Inc.	11-2594790	DOHMH	\$66,938.00	816	121
Ramapo for Children	13-5600422	DOHMH	\$74,187.00	816	121
Moshulu-Montefiore Community Center, Inc.	13-3622107	DOHMH	\$93,201.00	816	121
United Cerebral Palsy of New York City, Inc.	13-5654532	DOHMH	\$73,078.00	816	121
Imagine Foundation, Inc. d/b/a Imagine Academy	20-2336717	DOHMH	\$70,031.00	816	121
Jewish Board of Family and Children's Services, Inc.	13-5564937	DOHMH	\$78,540.00	816	121
My Time, Inc.	68-0646329	DOHMH	\$70,031.00	816	121
NYSARC, Inc., NYC Chapter Association for Help of Retarded Children	13-5596746	DOHMH	\$70,031.00	816	121
Shorefront YM-YWHA of Brighton-Manhattan Beach, Inc.	11-3070228	DOHMH	\$70,031.00	816	121
OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$63,263.00	816	121
Shema Kolainu - Hear Our Voices	11-3503085	DOHMH	\$62,475.00	816	121
Job Path, Inc.	13-4038495	DOHMH	\$62,250.00	816	121
Yaldeinu School, Inc.	26-3373908	DOHMH	\$30,000.00	816	121
Reach for the Stars Learning Center	20-3042280	DOHMH	\$30,000.00	816	121
Association for Metroarea Autistic Children	13-1974582	DOHMH	\$69,903.00	816	121
Jewish Community Center in Manhattan, Inc., The	13-3490745	DOHMH	\$70,032.00	816	121
Sinergia	13-3183344	DOHMH	\$62,475.00	816	121
Young Men's and Young Women's Hebrew Association of Washington Heights and Inwood	13-1635308	DOHMH	\$30,000.00	816	121
NYU Langone Medical Center - Dept. of Child & Adolescent Psychiatry	13-5562308	DOHMH	\$30,000.00	816	121
Lifespire, Inc.	13-2526022	DOHMH	\$78,053.00	816	121
Shield of David, The d/b/a Shield Institute, The	13-1740041	DOHMH	\$75,641.00	816	121
GSAC, Inc.	11-2482974	DOHMH	\$89,975.00	816	121
New York Families for Autistic Children, Inc.	11-3442879	DOHMH	\$82,170.00	816	121
Labor and Industry for Education, Inc.	11-4088055	DOHMH	\$70,031.00	816	121
Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	\$70,031.00	816	121
Eden II School for Autistic Children, Inc.	13-2872916	DOHMH	\$70,031.00	816	121
Grace Foundation of New York	13-4131863	DOHMH	\$70,031.00	816	121
Jewish Community Center of Staten Island, Inc.	13-5562256	DOHMH	\$70,031.00	816	121

* Indicates pending completion of pre-qualification review.

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

CHART 12: Unaccompanied Minor Children and Families Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Social Services/Human Resources Administration	13-6400434	DSS/HRA	(\$500,000.00)	069	103	
Legal Aid Society	13-5562265	DSS/HRA	\$166,667.00	069	103	*
Central American Legal Assistance	11-2859151	DSS/HRA	\$166,667.00	069	103	*
Catholic Charities Community Services, Archdiocese of New York	13-5562185	DSS/HRA	\$166,666.00	069	103	*

* Indicates pending completion of pre-qualification review.

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

CHART 13: Immigrant Opportunities Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Youth and Community Development	13-6400434	DYCD	(\$1,400,000.00)	260	005	*
Legal Services NYC - Bronx	16-1759590	DYCD	\$100,000.00	260	005	*
Bedford-Stuyvesant Community Legal Services Corporation	11-2149962	DYCD	\$80,000.00	260	005	*
South Brooklyn Legal Services	13-2605605	DYCD	\$41,000.00	260	005	*
Legal Aid Society	13-5562265	DYCD	\$585,000.00	260	005	*
New York Legal Assistance Group, Inc.	13-3505428	DYCD	\$390,000.00	260	005	*
Legal Services NYC - Manhattan Legal Services	13-2613958	DYCD	\$51,000.00	260	005	*
Legal Services NYC - Queens Branch	13-2605604	DYCD	\$61,000.00	260	005	*
Legal Services NYC - Staten Island Legal Services	13-2600199	DYCD	\$92,000.00	260	005	*

* Indicates pending completion of pre-qualification review.

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

CHART 14: Geriatric Mental Health Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$2,000,000.00)	816	120
Bridge, Inc., The	13-1919799	DOHMH	\$79,000.00	816	120
Bronx Jewish Community Council, Inc.	13-2744533	DOHMH	\$79,000.00	816	120
BronxWorks, Inc.	13-3254484	DOHMH	\$84,000.00	816	120
Catholic Charities Neighborhood Services, Inc.	11-2047151	DOHMH	\$84,000.00	816	120
Chinese-American Planning Council, Inc.	13-6202892	DOHMH	\$84,000.00	816	120
East Side House, Inc.	13-1623989	DOHMH	\$79,000.00	816	120
Grand Street Settlement, Inc.	13-5562230	DOHMH	\$84,000.00	816	120
Hudson Guild	13-5562989	DOHMH	\$84,000.00	816	120
Lenox Hill Hospital	13-1624070	DOHMH	\$79,000.00	816	120
Jewish Association for Services for the Aged (JASA)	13-2620896	DOHMH	\$79,000.00	816	120
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judea)	13-5564837	DOHMH	\$84,000.00	816	120
Lenox Hill Neighborhood House, Inc.	13-1628180	DOHMH	\$84,000.00	816	120
OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$94,000.00	816	120
Project Hospitality, Inc.	13-3234441	DOHMH	\$79,000.00	816	120
Relief Resources, Inc.	52-2323151	DOHMH	\$40,000.00	816	120
Riverdale Mental Health Association, Inc.	13-1930700	DOHMH	\$118,000.00	816	120
Riverstone Senior Life Services, Inc.	13-3355074	DOHMH	\$79,000.00	816	120
Samuel Field YM & YWHA, Inc.	11-3071518	DOHMH	\$81,000.00	816	120
SBH Community Service Network, Inc. (Sephardic Bikur Cholim)	23-7406410	DOHMH	\$40,000.00	816	120
Service Program for Older People, Inc. (SPOP)	13-2947616	DOHMH	\$79,000.00	816	120
Services and Advocacy for GLBT Elders, Inc. (SAGE)	13-2947657	DOHMH	\$84,000.00	816	120
Spanish Speaking Elderly Council - RAICES	11-2730462	DOHMH	\$81,000.00	816	120
St. Barnabas Hospital	13-1740122	DOHMH	\$40,000.00	816	120
Riverdale Senior Services, Inc.	23-7357997	DOHMH	\$39,000.00	816	120
Sunnyside Community Service, Inc.	51-0189327	DOHMH	\$84,000.00	816	120
Visiting Nurse Services of New York Home Care, Inc.	13-1624211	DOHMH	\$79,000.00	816	120

* Indicates pending completion of pre-qualification review.

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

CHART 15: MHy Services - Chemical Dependency Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$525,000.00)	816	122 *
St. Ann's Corner of Harm Reduction, Inc.	13-3724008	DOHMH	\$87,000.00	816	122 *
Bowery Residents Committee, Inc.	13-2736659	DOHMH	\$33,000.00	816	122 *
Catholic Charities Neighborhood Services, Inc.	11-2047151	DOHMH	\$26,000.00	816	122 *
Child Center of New York, Inc., The	11-1733454	DOHMH	\$34,000.00	816	122 *
Child Center of New York, Inc., The	11-1733454	DOHMH	\$37,000.00	816	122 *
Greenwich House, Inc.	13-5562204	DOHMH	\$22,000.00	816	122 *
Hamilton-Madison House, Inc.	13-5562412	DOHMH	\$33,000.00	816	122 *
Inwood Community Services, Inc.	13-3087407	DOHMH	\$31,000.00	816	122 *
Long Island Jewish Medical Center	11-2241326	DOHMH	\$101,000.00	816	122 *
Mental Health Providers of Western Queens, Inc.	11-2700062	DOHMH	\$55,000.00	816	122 *
St. Luke's-Roosevelt Hospital Center for Comprehensive Care	13-2997301	DOHMH	\$36,000.00	816	122 *
Staten Island Mental Health Society, Inc.	13-5623279	DOHMH	\$30,000.00	816	122 *

* Indicates pending completion of pre-qualification review.

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

CHART 16: MHy Services - Developmental Disabilities Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$806,000.00)	816	121	*
Albert Einstein College of Medicine of Yeshiva University - CERC Clinic	13-1624225	DOHMH	\$300,000.00	816	121	*
Epilepsy Institute, The	13-2608325	DOHMH	\$184,000.00	816	121	*
Staten Island Mental Health Society, Inc.	13-5623279	DOHMH	\$322,000.00	816	121	*

* Indicates pending completion of pre-qualification review.

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

CHART 17: MHy Services - Mental Health Providers Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$1,164,000.00)	816	120
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judea)	13-5564837	DOHMH	\$127,000.00	816	120
Institute for Community Living, Inc.	13-3306195	DOHMH	\$244,000.00	816	120
Jamaica Service Program for Older Adults, Inc. (JSPOA)	51-0204121	DOHMH	\$199,000.00	816	120
Lutheran Medical Center	11-1839567	DOHMH	\$268,000.00	816	120
Mental Health Association of NYC	13-2637308	DOHMH	\$20,000.00	816	120
Mental Health Association of NYC	13-2637308	DOHMH	\$38,000.00	816	120
NYSARC, Inc., NYC Chapter Association for Help of Retarded Children	13-5596746	DOHMH	\$104,000.00	816	120
OHEL Children's Home and Family Services, Inc.	11-6078704	DOHMH	\$37,000.00	816	120
PSCH, INC. (Kingsboro Psychiatric Center)	11-2542430	DOHMH	\$127,000.00	816	120

* Indicates pending completion of pre-qualification review.

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

CHART 18: Mental Health Contracts Initiative- Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$621,000.00)	816	120	*
Greenwich House, Inc.	13-5562204	DOHMH	\$50,000.00	816	120	*
Coalition of Behavioral Health Agencies, Inc., The	13-2729071	DOHMH	\$85,000.00	816	120	*
Children's Aid Society, The	13-5562191	DOHMH	\$95,000.00	816	120	*
Child Center of New York, Inc., The	11-1733454	DOHMH	\$45,000.00	816	120	*
Center for Urban and Community Services, Inc.	13-3687891	DOHMH	\$100,000.00	816	120	*
United Cerebral Palsy of New York City, Inc.	13-5654532	DOHMH	\$99,705.00	816	120	*
Riverdale Mental Health Association, Inc.	13-1930700	DOHMH	\$50,000.00	816	120	*
New Alternatives for Children, Inc.	13-3149298	DOHMH	\$47,295.00	816	120	*
Brooklyn Bureau of Community Services D/B/A Brooklyn Community Services	11-1630780	DOHMH	\$49,000.00	816	120	*

* Indicates pending completion of pre-qualification review.

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

CHART 19: Medicaid Redesign Transition Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$500,000.00)	816	120 *
Riverdale Mental Health Association, Inc.	13-1930700	DOHMH	\$50,000.00	816	120 *
Astor Services for Children & Families	14-1397918	DOHMH	\$50,000.00	816	120 *
New Alternatives for Children, Inc.	13-3149298	DOHMH	\$50,000.00	816	120 *
Catholic Charities Neighborhood Services, Inc.	11-2047151	DOHMH	\$50,000.00	816	120 *
Jewish Board of Family and Children's Services, Inc. (aka Pride of Judea)	13-5564937	DOHMH	\$100,000.00	816	120 *
SCO Family of Services	11-2777066	DOHMH	\$50,000.00	816	120 *
Amida Care, Inc.	13-4154068	DOHMH	\$50,000.00	816	120 *
University Settlement Society of New York, Inc.	13-5562374	DOHMH	\$50,000.00	816	120 *
GSAC, Inc.	11-2482974	DOHMH	\$50,000.00	816	120 *

* Indicates pending completion of pre-qualification review.

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

CHART 20: Day Laborer Workforce Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Third Sector New England	04-2261109	DSBS	(\$50,000.00)	801	011	
New Immigrant Community Empowerment (NICE)	11-3560625	DSBS	\$50,000.00	801	011	*

* Indicates pending completion of pre-qualification review.

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

CHART 21: Create New Technology Incubators Initiative- Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A *
City University of New York	13-6400434	CUNY	(\$1,400,000.00)	042	001
Lehman College	13-6400434	CUNY	\$450,000.00	042	001
Queens College	13-6400434	CUNY	\$450,000.00	042	001
College of Staten Island	13-6400434	CUNY	\$500,000.00	042	001

* Indicates pending completion of pre-qualification review.

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

CHART 22: Small Business/Job Development/Financial Literacy Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Department of Small Business Services	13-6400434	DSBS	(\$64,500.00)	801	002
Department of Small Business Services	13-6400434	DSBS	\$64,500.00	801	001

* Indicates pending completion of pre-qualification review.

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

CHART 23: Worker Cooperative Business Development Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Department of Small Business Services	13-6400434	DSBS	(\$78,000.00)	801	002
Department of Small Business Services	13-6400434	DSBS	\$78,000.00	801	001

* Indicates pending completion of pre-qualification review.

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

CHART 24: MWBE Leadership Associations Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Department of Small Business Services	13-6400434	DSBS	(\$70,000.00)	801	002
Department of Small Business Services	13-6400434	DSBS	\$70,000.00	801	001

* Indicates pending completion of pre-qualification review.

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

CHART 25: Holocaust Survivors Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department for the Aging	13-6400434	DFTA	(\$1,500,000.00)	125	003 *
Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	DFTA	\$90,000.00	125	003 *
Young Men's and Young Women's Hebrew Association of Boro Park, Inc.	11-1630917	DFTA	\$120,000.00	125	003 *
Guardians of the Sick, Inc.	11-6003433	DFTA	\$120,000.00	125	003 *
Jewish Community Council of Greater Coney Island, Inc.	11-2665181	DFTA	\$120,000.00	125	003 *
Selfhelp Community Services, Inc.	13-1624178	DFTA	\$165,000.00	125	003 *
Samuel Field YM & YWHA, Inc.	11-3071518	DFTA	\$80,000.00	125	003 *
Shorefront Jewish Community Council, Inc.	11-2986161	DFTA	\$120,000.00	125	003 *
Jewish Community Council Of Canarsie, Inc.	11-2608645	DFTA	\$120,000.00	125	003 *
Edith and Carl Marks Jewish Community House of Bensonhurst	11-1633484	DFTA	\$120,000.00	125	003 *
Pesach Tikvah Hope Development, Inc.	11-2642641	DFTA	\$120,000.00	125	003 *
United Jewish Organizations of Williamsburg, Inc.	11-2728233	DFTA	\$120,000.00	125	003 *
Washington Heights-Inwood Preservation Restoration Corporation	13-2944830	DFTA	\$105,000.00	125	003 *
Blue Card, Inc., The	13-1623910	DFTA	\$20,000.00	125	003 *
Queens Jewish Community Council, Inc.	23-7172152	DFTA	\$80,000.00	125	003 *

* Indicates pending completion of pre-qualification review.

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

CHART 26: Anti-Gun Violence Initiative - School Based Conflict Mediation - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Education	13-6400434	DOE	(\$80,000.00)	040	402
New York Peace Institute, Inc.	45-1964622	DOE	\$80,000.00	040	402

* Indicates pending completion of pre-qualification review.

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

CHART 27: Anti-Gun Violence Initiative - Mental Health/Therapeutic Services - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A
Department of Health and Mental Hygiene	13-6400434	DOHMH	(\$35,000.00)	816	120
Berean Community And Family Life Center, Inc.	11-2870465	DOHMH	\$35,000.00	816	120

* Indicates pending completion of pre-qualification review.

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

CHART 28: Domestic Violence and Empowerment Initiative (DoVE) - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
CD23	Mayor's Office of Criminal Justice	13-6400434	MOCJ	(\$218,926.00)	098	002
CD23	Metropolitan New York Coordinating Council on Jewish Poverty, Inc.	13-2738818	MOCJ	\$23,333.00	098	002
CD28	New York Legal Assistance Group	13-3505428	MOCJ	\$63,630.00	098	002
CD51	Urban Justice Center	13-3442022	MOCJ	\$86,963.00	098	002
	Seaman's Society for Children and Families	13-5563010	MOCJ	\$45,000.00	098	002

* Indicates pending completion of pre-qualification review.

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

CHART 29: NYC Cleanup Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A *
	Department of Youth and Community Development **	13-6400434	DYCD	(\$311,763.00)	260	005
CD23	Department of Sanitation **	13-6400434	DSNY	\$103,921.00	827	109 *
CD28	Department of Sanitation **	13-6400434	DSNY	\$103,921.00	827	109 *
CD51	Department of Sanitation **	13-6400434	DSNY	\$103,921.00	827	109 *

* Indicates pending completion of pre-qualification review.

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

CHART 30: Local Initiatives - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	UIA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Miller	Tri-Boro Intergenerational Services, Inc.	11-3341883	DYCD	(63,500.00)	260	005		
Miller	Creative Jazz Organization, Inc.	11-3543021	DYCD	\$3,500.00	260	005		

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

CHART 31: Youth Discretionary - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Levin	Outreach Project	11-2518262	DYCD	(68,000.00)	260	312		
Levin	Outreach Development Corporation	11-2518262	DYCD	\$8,000.00	260	312		

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

CHART 32: Local Initiatives - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agy #	UIA	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Levin	Outreach Project	11-2518262	DYCD	(68,000.00)	260	005		
Levin	Outreach Development Corporation	11-2518262	DYCD	\$8,000.00	260	005		

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

CHART 33: Purpose of Funds Changes - Fiscal 2016

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Youth	Cabrera	New York Junior Tennis League	23-7442256	DYCD	(\$7,500.00)	The funds will be used to provide free recreational tennis and educational programs for beginner and intermediate players, ages 5-18 years in the district during the summer, fall, winter or spring. Loaner racquets and balls will be provided to all participants. Special events, team tennis tournaments and trips are a regular part of the program schedule.
Youth	Cabrera	New York Junior Tennis League	23-7442256	DYCD	\$7,500.00	The funds will be used to provide free recreational tennis and educational programs for beginner and intermediate players, ages 5-18 years old at St. James Park in District 14 during the summer, fall, winter or spring. Loaner racquets and balls will be provided to all participants. Special events, team tennis tournaments and trips are a regular part of the program schedule.
Local	Cabrera	Middle School 390X	13-6400434	DOE	(\$20,000.00)	Funding to support the Academic and Cultural Enrichment Program serving immigrant students, in grades 6th through 8th grade, instruction provided in English with support in native language.
Local	Cabrera	Middle School 390X	13-6400434	DOE	\$20,000.00	\$10,000 to cover the cost of insurance for school laptops \$10,000 to support the Academic and Cultural Enrichment Program serving immigrant students, in grades 6th through 8th grade, instruction provided in English with support in native language.
Aging	Matteo	Vietnam Veterans of America, Chapter 421	061252230	DFTA	(\$6,000.00)	Funds will be used for maintenance and upkeep of the Vietnam Veterans Memorial Park.
Aging	Matteo	Vietnam Veterans of America, Chapter 421	061252230	DFTA	\$6,000.00	Funds will be used for maintenance, supplies and materials for the upkeep of the Vietnam Veterans Memorial Park, transportation, equipment, food, staff and operating cost of meetings.
Aging	Matteo	Corporal Allen F. Kivlehan Korean War Veterans Association, Inc.	13-3634076	DFTA	(\$5,000.00)	Funds will be used for transportation, equipment, operating cost of meetings and monthly newsletter.
Aging	Matteo	Corporal Allen F. Kivlehan Korean War Veterans Association, Inc.	13-3634076	DFTA	\$5,000.00	Funds will be used for transportation, food, equipment, operating cost of meetings and monthly newsletter.
Aging	Matteo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DFTA	(\$5,000.00)	Funds will be used for their Senior Safety Security and Nourishment Program.
Aging	Matteo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DFTA	\$5,000.00	Funds will be used for their nourishment program, transportation, food, equipment and operating cost.
Aging	Matteo	Jewish Community Center of Staten Island, Inc.	13-5662256	DFTA	(\$5,000.00)	Funds will be used to help assist in providing weekly food packages.
Aging	Matteo	Jewish Community Center of Staten Island, Inc.	13-5662256	DFTA	\$5,000.00	Funds will be used to help fund a registered dietician who is responsible for the menu planning and nutritional compliance for the meals served to the participants attending the JCC's senior centers.
Aging	Vacca	San Gennaro Senior Center	43-2061329	DFTA	(\$8,000.00)	To fund refreshments and food for senior programming.
Aging	Vacca	San Gennaro Senior Center	43-2061329	DFTA	\$8,000.00	To fund refreshments, food for senior programming, and rent expenses.
Youth	Treyger	NIA Community Services Network, Inc.	11-2697931	DYCD	(\$10,000.00)	The funding will be used for expanded day, after-school, out-of-school time, and summer programming to support academic success, including homework help, test prep, cultural and creative arts, ELA/literacy, STEM (through interactive learning experiences), character education, fitness and healthy living activities, and recreation. Parent workshops/classes will be offered on relevant topics and in support of children's learning and positive growth, and community building, especially for our large immigrant populations.
Youth	Treyger	NIA Community Services Network, Inc.	11-2697931	DYCD	\$10,000.00	Funds will support a broad range of community programming including community events and wraparound services. Funds will also be used help defray operating costs.

* Indicates pending completion of pre-qualification review.

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

CHART 33: Purpose of Funds Changes - Fiscal 2016 (continued)

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Kallos	Four Freedoms Park Conservancy, Inc.	45-2716846	DPR	(\$10,000.00)	To support summer concerts such as musical and dance performances.
Local	Kallos	Four Freedoms Park Conservancy, Inc.	45-2716846	DPR	\$10,000.00	To provide funding for the Uni-project, a portable reading room kit.
Youth	Richards	Jewish Community Council of the Rockaway Peninsula, Inc.	11-2425813	DYCD	(\$15,000.00)	To support the JCCRP Medicare assistance program, which assists clients in determining Medicare eligibility, understanding and applying for Medicare, enrolling in prescription (part D) plans, Medicare Advantage plans, EPIC and the Medicare Savings Program.
Youth	Richards	Jewish Community Council of the Rockaway Peninsula, Inc.	11-2425813	DYCD	\$15,000.00	Funds will be used to support social services coordination.
Local	Richards	Queens Borough Public Library	13-6400434	QBPL	(\$5,000.00)	Programming support for Rosedale Library.
Local	Richards	Queens Borough Public Library	13-6400434	QBPL	\$5,000.00	The specific program to be funded is establishing a virtual senior center capability in a local senior center.
Local	Vallone	Selfhelp Community Services, Inc.	13-1624178	DYCD	(\$10,000.00)	Funding will go towards transportation, education and recreation supplies and an art therapy program.
Local	Vallone	Selfhelp Community Services, Inc.	13-1624178	DYCD	\$10,000.00	Funds will support the coordination and execution of multi-cultural Columbus Day parade for the Bronx.
Local	Torres	Morris Park Community Association **	23-7429900	DFTA	(\$5,000.00)	Funds will support senior programming and activities
Local	Torres	Morris Park Community Association **	23-7429900	DYCD	\$5,000.00	Providing veterans and their dependents benefits information; support of homeless veterans; annual POW/MIA Ceremony; Indigent Veteran Burials; Dissemination of veterans information at community street festivals throughout the borough; Participation in Parades and Holiday events at Veteran Facilities; etc.
Local	Crowley	Vietnam Veterans of America, Inc. - Queens Chapter #32	11-2629339	DYCD	(\$7,500.00)	Providing veterans and their dependents benefits information; support of homeless veterans; annual POW/MIA Ceremony; Indigent Veteran Burials; Dissemination of veterans information at community street festivals throughout the borough; Participation in Parades and Holiday events at Veteran Facilities; to purchase equipment, supplies, to cover the cost of utilities, rent, trips, vendors and general program expenses.
Local	Crowley	Vietnam Veterans of America, Inc. - Queens Chapter #32	11-2629339	DYCD	\$7,500.00	
Local	Lander	Center for Anti-Violence Education, The	11-2444676	DYCD	(\$15,000.00)	To support long-term prevention of violence and empowerment courses for pre-teen girls and LGBTQ youth in District 39 facing bullying, harassment and abuse.
Local	Lander	Center for Anti-Violence Education, The	11-2444676	DYCD	\$15,000.00	To support long-term prevention of violence and empowerment courses for pre-teen girls and LGBTQ youth in District 39 facing bullying, harassment and abuse as well as violence prevention programs for adult women and transgender people.

* Indicates pending completion of pre-qualification review.

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

CHART 34: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Miller	Tri-Boro Intergenerational Services, Inc.	11-3341883	DYCD	(\$3,500.00)	Funding for intergenerational cultural, educational, recreational programs. The requested funds will be used to cover cost incurred from providing transportation, purchase of T-shirts, theatre/movie tickets, food and refreshments, picnic/cultural event, computer upgrade, Thanksgiving feeding and supplies needed to carry out activities.
Local	Miller	Creative Jazz Organization, Inc.	11-3543021	DYCD	\$3,500.00	Funds will go towards 1. Weekly evening jazz sessions in the community utilizing professional musicians; 2. Periodic jazz concerts in local public schools, preceded and followed up by motivational teachings of jazz history by professional musicians.
Local	Matteo	Vietnam Veterans of America, Chapter 421	061252230	DYCD	(\$5,000.00)	Funds will be used to for a contractor, to excavate and install pavers throughout the grounds.
Local	Matteo	Vietnam Veterans of America, Chapter 421	061252230	DYCD	\$5,000.00	Funds will be used for maintenance, supplies and materials for the upkeep of the Vietnam Veterans Memorial Park, transportation, equipment, food, staff and operating cost of meetings.
Aging	Matteo	Lifestyles for the Disabled, Inc.	13-3740011	DFTA	(\$12,000.00)	Funding will support new Disaster Relief Program for the Developmentally Disabled and Senior Citizens which focus relief efforts to most vulnerable disaster victims.
Aging	Matteo	Lifestyles for the Disabled, Inc.	13-3740011	DFTA	\$12,000.00	Funds will be used for repair and/or upgrading of kitchen equipment for new Disaster Relief Program.
Aging	Matteo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DFTA	(\$2,500.00)	Funds will be used to provide senior workshops in Safety Security through various Staten Island community centers during regular business hours.
Aging	Matteo	New York City Verrazano 10-13 Association, Inc.	13-4151778	DFTA	\$2,500.00	Funds will be used for their nourishment program, transportation, food, equipment and operating cost.

* Indicates pending completion of pre-qualification review.

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

JULISSA FERRERAS-COPELAND, *Chairperson*; VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, August 13, 2015.

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

Report of the Committee on Housing and Buildings

Report for Int. No. 145-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city building code, in relation to the installation of fire sprinklers in certain establishments that provide services for animals.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on March 12, 2014 (Minutes, page 646), respectfully

REPORTS:

Introduction

On August 11, 2015, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, held a hearing to consider Int. No. 145-A.

The Committee previously considered Int. No. 145 on April 1, 2015 and received testimony from the Department of Buildings (DOB), animal advocacy organizations, animal care facilities and other interested members of the public.

Int. No. 145-A

In recent years, there have been numerous incidents of fires within animal service facilities resulting in the death of trapped animals.¹ This bill would require animal service facilities, including existing facilities, where animals are sheltered on a 24-hour basis to install automatic sprinkler systems by December 31, 2016. Animal service facilities which provide twenty-four hour in-person supervision and that are equipped with smoke alarms, and animal service facilities that were in operation on or before December 31, 2016 and that are equipped with an automatic smoke detection system, are not required to install automatic sprinkler systems.

¹ See John Lauinger, Firefighters rescue 30 cats and dogs from burning Queens pet shops, NY Daily New, June 1, 2010 available at <http://www.nydailynews.com/new-york/firefighters-rescue-30-cats-dogs-burning-queens-pet-shop-article-1.178695>; Dorian Block & Leo Standora, More than a 100 animals perish in Bronx pet shop fire, NY Daily News, Nov. 20, 2008 available at <http://www.nydailynews.com/new-york/bronx/100-animals-perish-bronx-pet-shop-fire-article-1.335388>; Sarah Kershaw, Animals Die as Fire in Inwood Destroys Pet Store and Shops, NY Times, July 29, 2002 available at <http://www.nytimes.com/2002/07/29/nyregion/animals-die-as-fire-in-inwood-destroys-pet-store-and-shops.html>.

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Section one of Int. No. 145-A would add a new section 28-315.2.3 to Article 315 of title 28 of the New York City Administrative Code (the Code). Article 315 contains a list of the retroactive requirements for the New York City Building Code (the Building Code) and other Construction Codes. New section 28-315.2.3 would require owners of existing animal service facilities to install automatic sprinklers, provide 24-hour in-person supervision and install a smoke alarm, or install automatic smoke detection systems by December 31, 2016 to the list of retroactive requirements. It would also require owners of such facilities to file a report with DOB documenting compliance.

Section two of this legislation would amend section 202 of the Building Code, which contains definitions, by defining animal service facilities as animal hospitals, kennels, pounds, veterinary clinics and pet shops where animals are sheltered on a 24-hour basis.

Section three of this legislation would amend section 304.1 of the Building Code, which outlines the uses included in Group B, to include veterinary clinics and pet shops.

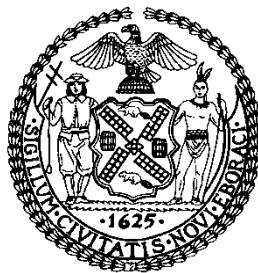
Section three of Int. No. 145-A amends Building Code section 903.2.2 and adds new sections 903.2.2.1 and 903.2.2.2. Section 903.2.2 outlines the sprinkler requirements for Group B occupancies. Int. No. 145-A would amend these sections to require automatic sprinkler systems to be installed in animal service facilities. It would also make this requirement retroactive and require compliance no later than December 31, 2016. Finally, it would provide exceptions to the automatic sprinkler requirements where animal service facilities provide 24-hour in-person supervision and are equipped with smoke alarms and where animal service facilities were in operation on or before December 31, 2016, and are equipped with an automatic smoke detection system.

Section four of this legislation contains the enactment clause and provides that this local law take effect one hundred and twenty days after it becomes law.

Update

On Tuesday, August 11, 2015, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 145-A:)



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

**LATONIA MCKINNEY,
DIRECTOR**

**FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 145-A**

COMMITTEE: Housing and

Buildings

TITLE: A Local Law to amend the New York city building code, in relation to the installation of fire sprinklers in certain establishments that provide services for animals

SPONSOR(S): Council Members Johnson, Vacca, Crowley, Arroyo, Chin, Constantinides, Eugene, Koo, Levine, Richards, Mendez, Espinal, Rosenthal, Cohen, Deutsch, Cornegy, Cumbo, Dromm, Gibson, Greenfield, King, Koslowitz, Levin, Maisel, Miller, Palma, Reynoso, Rodriguez, Rose, Torres, Vallone, Wills, Treyger, Lander, Menchaca, Lancman, Ferreras-Copeland, Van Bramer, Garodnick, Gentile and Ulrich

SUMMARY OF LEGISLATION: The proposed legislation would require the following animal service facilities that shelter animals on a 24-hour basis to be equipped with a sprinkler system by December 31, 2016: animal hospitals, kennels, pounds, veterinary clinics, and pet shops.

However, the bill would exempt animal service facilities that provide 24-hour in-person supervision of the animals they shelter and are equipped with smoke alarms, and facilities that were in operation on or before December 31, 2016, and are equipped with an automatic smoke detection system.

EFFECTIVE DATE: This legislation would take effect 120 days after it becomes law, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because the Department of Buildings would use existing resources to implement and enforce this local law. In addition, this estimate assumes the three existing city-owned animal service facilities would be grandfathered into the terms of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Legislative Financial Analyst
Emre Edev, Principal Legislative Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on March 12, 2014 as Intro. 145 and was referred to the Committees on Housing and Buildings. A hearing was held by the Committee on Housing and Buildings on April 1, 2015 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 145-A will be considered by the Committee on Housing and Buildings on August 11, 2015. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: August 10, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 145-A:)

Int. No. 145-A

By Council Members Johnson, Vacca, Crowley, Arroyo, Chin, Constantinides, Eugene, Koo, Levine, Richards, Mendez, Espinal, Rosenthal, Cohen, Deutsch, Cornegy, Cumbo, Dromm, Gibson, Greenfield, King, Koslowitz, Levin, Maisel, Miller, Palma, Reynoso, Rodriguez, Rose, Torres, Vallone, Wills, Treyger, Lander, Menchaca, Lancman, Ferreras-Copeland, Van Bramer, Garodnick, Gentile, Kallos and Ulrich.

A Local Law to amend the New York city building code, in relation to the installation of fire sprinklers in certain establishments that provide services for animals

Be it enacted by the Council as follows:

Section 1. Article 315 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.3 to read as follows:

§ 28-315.2.3 Animal service facilities. *By December 31, 2016, animal service facilities shall comply with the retroactive requirements of section 903.2.2.2 of the New York city building code and owners of such facilities shall file with the department a report certifying either that sprinklers have been installed or that the facility is in compliance with one of the exceptions set forth in such section.*

§ 2. Section BC 202 of the New York city building is amended by adding a new definition for “ANIMAL SERVICE FACILITY” to read as follows:

ANIMAL SERVICE FACILITY. *The following facilities where animals are sheltered on a 24-hour basis: animal hospitals, kennels, pounds, veterinary clinics and pet shops.*

§ 3. Section 304.1 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

304.1 Business Group B. Business Group B occupancy includes, among others, the use of a building or structure, or a portion thereof, for office, professional, service-type transactions, or for conducting public or civic services, including the incidental storage of records and accounts and the incidental storage of limited quantities of stocks of goods for office use or purposes. Business Group B occupancies shall include, but not be limited to, the following:

Airport traffic control towers

Ambulatory health care facilities

Animal hospitals, kennels, [and] pounds, *veterinary clinics and pet shops*

Banks

Barber and beauty shops

Civic administration offices

Clinic—outpatient, including group medical centers, and neighborhood family care centers

Custodial care facilities with fewer than 75 persons, providing care to persons over the age of 2, where no more than four occupants are incapable of responding to an emergency situation without physical assistance from staff

Dry cleaning and laundries; pick-up and delivery stations and self-service

Educational occupancies for students above the 12th grade, where not classified in Group A. Such occupancy may be used occasionally for educational purposes offered to children through the 12th grade

Electronic data processing

Laboratories; nonproduction testing and research, as per Section 424

Libraries when not classified in Group E

Motor vehicle showrooms

Offices

Post offices

Photocopying and printing shops using electronic printing equipment

Professional services (architects, attorneys, dentists, physicians, engineers, etc.)

Radio and television stations not admitting an audience

Telephone exchanges

Training and skill development not within a school or academic program

§ 4. Section 903.2.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

903.2.2 Group B [ambulatory health care facilities]. An automatic sprinkler system shall be installed [throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:

1. Four or more care recipients are incapable of self- preservation.

2. One or more care recipients who are incapable of self- preservation are located at other than the level of exit discharge serving such an occupancy.] *for Group B occupancies as provided in Sections 903.2.2.1 and 903.2.2.2.*

903.2.2.1 Ambulatory health care facilities. *An automatic sprinkler system shall be installed throughout all fire areas containing a Group B ambulatory health care facility occupancy when either of the following conditions exists at any time:*

1. *Four or more care recipients are incapable of self-preservation.*
2. *One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.*

903.2.2.2 Animal service facilities. *An automatic sprinkler system shall be provided for animal service facilities. This provision shall be retroactive and shall apply to all such facilities in existence on the effective date of this provision, and such facilities shall achieve compliance no later than December 31, 2016.*

Exceptions:

1. *Animal service facilities which provide 24 hour in-person supervision of animals sheltered therein and are equipped with smoke alarms.*
2. *Animal service facilities that were in operation on or before December 31, 2016, and are equipped with an automatic smoke detection system.*

§ 5. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

ROSIE MENDEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES, ERIC A. ULRICH; Committee on Housing and Buildings, August 11, 2015. *Other Council Members Attending: Speaker Mark-Viverito, Johnson, Gibson, Eugene and Treyger.*

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

Report for Int. No. 700-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to required disclosures by persons making buyout offers.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on February 26, 2015 (Minutes, page 658), respectfully

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REPORTS:

Introduction

On August 11, 2015, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, held a hearing to consider Int. No. 700-A and Int. No. 757-A.

The Committee previously considered Int. No. 700 and Int. No. 757 on April 29, 2015 and received testimony from representatives of the Department of Housing Preservation and Development (HPD), tenant and community advocacy organizations, members of the real estate industry, legal service providers and other interested members of the public.

Background

In New York City, there has been a long history of owners offering tenants money or other valuable consideration to vacate their apartments.¹ In recent years, however, there have been complaints from tenants that buyouts have become harassing.² At the hearing on Int. No. 700 and Int. No. 757 the Committee held earlier this year, the Committee learned that some tenants do not fully understand their rights with respect to buyout offers and that the use of repeated buyout offers, particularly where a tenant has rejected such an offer and expressed a desire to receive no further offers, has become a form of harassment. According to recent news reports, oftentimes, such issues arise where building owners have hired tenant relocation specialists, many of whom receive a fee for each vacancy, to try to convince tenants, many of whom are rent-regulated, to leave their apartments.³ Int. No. 700-A and Int. No. 757-A are intended to address such issues.

Int. No. 700-A

This bill would amend the Housing Maintenance Code's definition of "harassment" to make it unlawful for a tenant to be contacted regarding a buyout offer without being notified of each of the following in writing: (1) the purpose for the contact; (2) that they may refuse any offer made and may continue to occupy their dwelling unit; (3) that they may seek the guidance of an attorney regarding any offer made (including a reminder that the tenant may obtain information about their rights through The ABCs of Housing guide on the City's website); (4) that such contact is made by or on behalf of the owner; and (5) that they may refuse any further contact regarding a buyout offer for a period of 180 days, unless such contact is authorized by the court or if notified in writing by such tenant of an interest in receiving such communications.

Section one of the legislation includes the Council's legislative intent and findings. The Council recognizes that there are legitimate reasons for building owners to make buyout offers to tenants by offering money or other valuable consideration to vacate their apartments, but finds that tenants cannot meaningfully

accept, reject or negotiate such offers without fully understanding their rights with respect to such offers. Further, the Council finds that the city has a substantial interest in balancing the rights of building owners to make these buyout offers with the rights of tenants to meaningfully accept, reject or negotiate such offers or to refuse contact regarding such offers. Finally, the Council finds that it is necessary and appropriate to require the disclosure of certain factual and uncontroversial information in connection with buyout offers in order to protect tenants from confusion or deception.

Section two of the legislation would amend paragraph 48 of subdivision a of section 27-2004 of the code. Paragraph 48 sets of the definition of harassment. New subdivision f-2 would add to that definition making a buyout offer for the purpose of inducing or persuading a tenant to vacate a dwelling unless the person making the buyout offer first notifies such tenant of each of the following in writing: (1) the purpose for the contact; (2) that they may refuse any offer made and may continue to occupy their dwelling unit; (3) that they may seek the guidance of an attorney regarding any offer made (including a reminder that the tenant may obtain information about their rights through The ABCs of Housing guide on the City's website); (4) that such contact is made by or on behalf of the owner; and (5) that they may refuse any further contact regarding a buyout offer for a period of 180 days, unless such contact is authorized by the court or if notified in writing by such tenant of an interest in receiving such communications.

Section three of the legislation contains the enactment clause and provides that this local law take effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

Int. No. 757-A

This bill would amend the Housing Maintenance Code's definition of "harassment" to make it unlawful for an owner to contact a tenant about a buyout offer within 180 days after such tenant has notified the owner or his or her agent, in writing, that such tenant does not wish to be communicated with about buyouts. During the 180 day period the owner can only communicate about buyout offers with the tenant if such communication is authorized by the court or if notified in writing by such tenant of an interest in receiving such communications.

Section one of the legislation includes the Council's legislative intent and findings. The Council recognizes that there are legitimate reasons for building owners to make buyout offers to tenants by offering money or other valuable consideration to vacate their apartments, but finds that the use of repeated buyout offers, particularly where a tenant has rejected such an offer and expressed a desire to receive no further offers, has become a form of harassment. Further, the Council finds that the city has a substantial interest in balancing the rights of building owners to make these buyout offers with the rights of tenants to negotiate or reject such offers and to be free from harassment in the form of repeated, unwanted buyout offers. Finally, the Council finds that it is necessary and appropriate to place limited, short-term restrictions on the making of these buyout offers in order to protect

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tenants from harassment while still allowing owners and tenants to engage in negotiations over such offers.

Section two of the legislation would amend paragraph 48 of subdivision a of section 27-2004 of the code. New subdivision f-1 would add to the definition of harassment, contacting a tenant about a buyout offer within 180 days after such tenant has notified the owner or his or her agent, in writing, that such tenant does not wish to be communicated with about buyouts. During the 180 day period the owner can only communicate about buyout offers with the tenant if such communication is authorized by the court or if notified in writing by such tenant of an interest in receiving such communications.

Section three of the legislation contains the enactment clause and that the local law takes effect 90 days after it becomes law.

Update

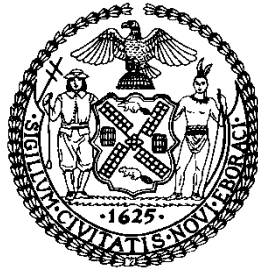
On Tuesday, August 11, 2015, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

¹ See Mireya Navarro, As New York Landlords Push Buyouts, Renters Resist, N.Y. Times, July 9, 2014, http://www.nytimes.com/2014/07/10/nyregion/as-new-york-landlords-push-for-buyouts-tenants-stand-their-ground.html?_r=0.

² *Id.* See also Greg B. Smith, Exclusive: 'Tenant relocater' accused of harassing renters is put out of business by AG Eric Schneiderman, N.Y. Daily News, October 27, 2014, <http://www.nydailynews.com/new-york/exclusive-tenant-relocator-put-business-ag-eric-schneiderman-article-1.1988293>.

³ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 700-A:)



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

**LATONIA MCKINNEY,
DIRECTOR**

FISCAL IMPACT STATEMENT

**PROPOSED INTRO. NO: 700-
A**

**COMMITTEE: Housing and
Buildings**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to required disclosures by persons making buyout offers

SPONSOR(S): Council Members Williams, Garodnick, Espinal, Barron, Chin, Cumbo, Gibson, Johnson, King, Koslowitz, Lander, Levin, Rosenthal, Cohen, Menchaca and Rodriguez

SUMMARY OF LEGISLATION: The proposed legislation would require building owners to disclose information in writing to tenants when offering money or other valuable consideration to vacate their apartments (i.e. “buyout offer”). The written information to be provided would include the tenant’s right to reject the offer and remain in their apartment, seek legal counsel, and bar further contact from the owner or agent of the tenant’s landlord for 180 days. Such notification must be provided upon initial contact and at least every 180 days thereafter for so long as the contacts continue.

Contacting tenants with respect to a buyout offer without providing the required written notifications would be considered “harassment” by the building owner.

EFFECTIVE DATE: This legislation would take effect on the same date as a local law of the city of New York for the year 2015 amending the Administrative Code relating to amending the definition of harassment to include certain buyout offers, as proposed in Proposed Intro. 757-A, takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because existing resources to implement the provisions of this local law and building owners would bear any costs of providing written notification to tenants.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

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ESTIMATE PREPARED BY: Sarah Gastelum, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 26, 2015 as Intro. 700 and was referred to the Committee on Housing and Buildings. A hearing was held jointly by the Committees on Housing and Buildings and Consumer Affairs on April 29, 2015 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. 700-A, will be considered by the Committee on Housing and Buildings on August 11, 2015. Following a successful Committee vote, the bill would be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: August 10, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 700-A:)

Int. No. 700-A

By Council Members Williams, Garodnick, Espinal, Barron, Chin, Cumbo, Gibson, Johnson, King, Koslowitz, Lander, Levin, Rosenthal, Cohen, Menchaca, Rodriguez, Kallos and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to required disclosures by persons making buyout offers

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent and findings. a. The council finds and declares that:

1. While there are legitimate reasons for building owners to make buyout offers to tenants by offering money or other valuable consideration to vacate their apartments, some tenants do not understand their rights with respect to buyout offers, including their right to reject such an offer and remain in their apartment or to seek guidance from an attorney, and some tenants do not understand what a buyout offer is or that such offer is being made on behalf of the owner of the building in which they reside;

2. Tenants cannot meaningfully accept, reject or negotiate such offers without such an understanding; and

3. The city has a substantial interest in balancing the rights of building owners to make these buyout offers with the rights of tenants to meaningfully accept, reject or negotiate such offers or to refuse contact regarding such offers.

b. The council finds that it is necessary and appropriate to require the disclosure of certain factual and uncontroversial information in connection with buyout offers in order to protect tenants from confusion or deception.

§ 2. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new subparagraph f-2 to read as follows:

f-2. contacting any person lawfully entitled to occupancy of such dwelling unit to offer money or other valuable consideration to induce such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, unless such owner discloses to such person in writing (i) at the time of the initial contact, and (ii) in the event that contacts continue more than 180 days after the prior written disclosure, at the time of the first contact occurring more than 180 days after the prior written disclosure:

(1) the purpose of such contact,

(2) that such person may reject any such offer and may continue to occupy such dwelling unit,

(3) that such person may seek the guidance of an attorney regarding any such offer and may, for information on accessing legal services, refer to The ABCs of Housing guide on the department's website,

(4) that such contact is made by or on behalf of such owner, and

(5) that such person may, in writing, refuse any such contact and such refusal would bar such contact for 180 days, except that the owner may contact such person regarding such an offer if given express permission by a court of competent jurisdiction or if notified in writing by such person of an interest in receiving such an offer;

§ 3. This local law takes effect on the same date as a local law of the city of New York for the year 2015 amending the administrative code of the city of New York relating to amending the definition of harassment to include certain buyout offers, as proposed in introduction number 757-A, takes effect.

JUMAANE D. WILLIAMS, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES, ERIC A. ULRICH; Committee on Housing and Buildings, August 11, 2015. *Other Council Members Attending: Speaker Mark-Viverito, Johnson, Gibson, Eugene and Treyger.*

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

Report for Int. No. 757-A

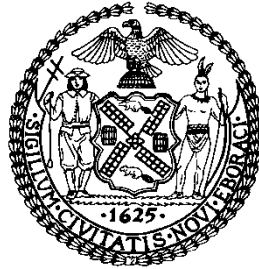
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to amending the definition of harassment to include certain buyout offers.

The Committee on Housing and Buildings, to which the annexed amended proposed local law was referred on April 28, 2015 (Minutes, page 1500), respectfully

REPORTS:

(For text of the report, please see the Report for Int. No. 700-A printed above in the Reports of the Committee on Housing and Buildings section of these Minutes.)

The following is the text of the Fiscal Impact Statement for Int. No. 757-A:



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

**LATONIA MCKINNEY,
DIRECTOR**

**FISCAL IMPACT
STATEMENT**

**PROPOSED INTRO. NO: 757-
A**

**COMMITTEE: Housing and
Buildings**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of harassment to include certain buyout offers

SPONSOR(S): The Speaker (Council Member Mark-Viverito) and Council Members Arroyo, Chin, Dromm, Gentile, Johnson, Lander, Levine, Richards, Rose, Rodriguez, Rosenthal and Menchaca

SUMMARY OF LEGISLATION: The proposed legislation would include contacting tenants or their relatives to offer a “buyout” within 180 days of being notified in writing that such person does not wish to receive such offers in the definition of harassment of tenants by building owners. A buyout would be defined as offering money or other valuable consideration to induce a tenant to vacate his or her apartment or to surrender or waive any rights in relation to such occupancy. An exception would be made where express permission was given by a court or if notified in writing that the tenant was interested in receiving a buyout offer.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sarah Gastelum, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 28, 2015 as Intro. 757 and was referred to the Committee on Housing and Buildings. A joint hearing was held by the Committee on Housing and Buildings and the Committee on Consumer Affairs on April 29, 2015 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. 757-A, will be considered by the Committee on Housing and Buildings on August 11, 2015. Following a successful Committee vote, the bill will be submitted to the full Council for a vote on August 13, 2015.

DATE PREPARED: August 10, 2015

Accordingly, this Committee recommends its adoption, as amended.

August 13, 2015

3066

(The following is the text of Int. No. 757-A:)

Int. No. 757-A

By The Speaker (Council Member Mark-Viverito) and Council Members Arroyo, Chin, Dromm, Gentile, Johnson, Lander, Levine, Richards, Rose, Rodriguez, Rosenthal, Menchaca, Williams, Barron, Kallos and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of harassment to include certain buyout offers

Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent and findings. a. The council finds and declares that:

1. Although there are legitimate reasons for building owners to make buyout offers to tenants by offering money or other valuable consideration to vacate their apartments, in recent years, and due in part to rapidly increasing rents, the use of repeated buyout offers, particularly where a tenant has rejected such an offer and expressed a desire to receive no further offers, has become a form of harassment; and

2. The city has a substantial interest in balancing the rights of building owners to make these buyout offers with the rights of tenants to negotiate or reject such offers and to be free from harassment in the form of repeated, unwanted buyout offers.

b. The council finds that it is necessary and appropriate to place limited, short-term restrictions on the making of these buyout offers in order to protect tenants from harassment while still allowing owners and tenants to engage in negotiations over such offers.

§ 2. Subparagraph f of paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York, as added by local law number 7 for the year 2008, is amended to read as follows:

f. removing the door at the entrance to an occupied dwelling unit; removing, plugging or otherwise rendering the lock on such entrance door inoperable; or changing the lock on such entrance door without supplying a key to the new lock to the persons lawfully entitled to occupancy of such dwelling unit; [or]

§ 3. Paragraph 48 of subdivision a of section 27-2004 of the administrative code of the city of New York is amended by adding a new subparagraph f-1 to read as follows:

f-1. contacting any person lawfully entitled to occupancy of such dwelling unit, or any relative of such person, to offer money or other valuable consideration to induce such person to vacate such dwelling unit or to surrender or waive any rights in relation to such occupancy, for 180 days after the owner has been notified, in writing, that such person does not wish to receive any such offers, except that the owner may contact such person regarding such an offer if given express permission by a court of competent jurisdiction or if notified in writing by such person of an interest in receiving such an offer;

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., RAFAEL L. ESPINAL, Jr., MARK LEVINE, ANTONIO REYNOSO, HELEN K. ROSENTHAL, RITCHIE J. TORRES, ERIC A. ULRICH; Committee on Housing and Buildings, August 11, 2015. *Other Council Members Attending: Speaker Mark-Viverito, Johnson, Gibson, Eugene and Treyger.*

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

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

Report for Int. No. 866

Report of the Committee on Housing and Buildings in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to regulation of cooling towers.

The Committee on Housing and Buildings, to which the annexed proposed local law was referred on August 13, 2015, respectfully

REPORTS:

Introduction

On August 11, 2015, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, held a hearing to consider Preconsidered Int. No. 866. The Committee received testimony from representatives of the Department of Health and Mental Hygiene (DOHMH) the Department of Buildings (DOB), building owners and other interested members of the public.

Background

According to the Centers for Disease Control and Prevention (CDC), Legionnaires' disease is a pneumonia-like disease caused by a bacterium called Legionella.¹ Legionella is commonly found in aquatic environments and can live in such environments for several months. The bacterium grows easily in warm water, especially if algae and scale deposits are present.²

Legionella grows in many different warm water systems that may spread water as aerosols, sprays, or mists. For example, high concentrations of Legionella can grow in cooling towers and hot water tanks if they are not disinfected and maintained.³ Cooling towers function as part of many modern air conditioning systems for buildings; they are used to cool water and remove unwanted heat, in the form of water evaporation, to the atmosphere. The vapor or mist created by cooling towers allows Legionella, if present in the water, to be inhaled by a person.⁴

The level of contamination in the water source, the vulnerability of the exposed person and the intensity of the exposure influences the probability of contracting Legionnaires' disease. Legionella grows well in the lungs and causes people to have pneumonia.⁵ According to the CDC, the majority of healthy people will not contract the disease after being exposed to the bacteria. The people who are at higher risk of becoming sick are those who are current or former smokers, are over the age of 50 years old, have a chronic lung disease, have a weak immune system, or take drugs that suppress the immune system.⁶

A person infected with Legionnaires' disease can have symptoms like many other forms of pneumonia such as cough, shortness of breath, fever, muscle aches, and headaches. The symptoms begin to appear 2 to 14 days after being exposed to the bacteria.⁷ A person can completely recover in several weeks by using antibiotics but may need to be hospitalized to treat the disease. To distinguish Legionnaires' from other forms of pneumonia several laboratories perform tests to detect Legionella bacteria within the body.⁸ In the United States, Legionnaires' disease is fairly common and serious with over 25,000 cases each year and more than 4,000 deaths. The fatality rate is similar to other forms of pneumonia, which is approximately 15 percent of cases.⁹

DOHMH is currently investigating an outbreak of Legionnaires' disease in the South Bronx by actively investigating and testing water from cooling towers and other potential sources of Legionella. According to City officials, as of August 10, 2015, 113 individuals have contracted Legionnaires' disease as part of the outbreak, 12 individuals have died, and 76 were treated and discharged from the hospital. All of the deceased individuals had underlying medical conditions or were older adults.

In response to the outbreak, the Commissioner of DOHMH has ordered building owners to inspect and clean their cooling towers, keep a record on when the disinfection occurred, and make such records available to the City upon request.¹⁰ DOHMH has stated that the outbreak has not affected the City's drinking or bathing water and that home air conditioner units and air-conditioned environments are unaffected and safe.¹¹

Preconsidered Int. No. 866

Preconsidered Int. No. 866 would require owners of cooling towers to register such towers with DOB and develop a plan for maintaining such towers. It would also require cooling towers to be inspected and tested on a quarterly basis. If any test comes back positive for microbes, such as the bacteria that cause Legionnaires' disease, then the owner will have to clean and disinfect the system in accordance with DOHMH regulations.

Section one of Preconsidered Int. No. 866 would add a new Article 317, entitled "Cooling Towers" to chapter three of title 28 of the New York City Administrative Code (the Code).

New section 28-317.1 would require all cooling towers to comply with new article 317 and DOB rules.

New section 28-317.2, entitled "Definitions," would set forth the definition of cooling towers.

New section 28-317.3, entitled "Registration," would require all cooling towers to be registered with DOB before initial operation, except that existing cooling towers would have to be registered within 60 days of the law's passage. New section 28-317.3.1, entitled "Discontinued use," would require owners of cooling towers to notify DOB within 30 days of removing or permanently discontinuing use of a cooling tower and to include in such notice a statement that such tower was drained and sanitized in compliance with DOHMH regulations.

New section 28-317.4, entitled "Inspecting, cleaning, disinfecting and testing," would require all cooling towers to be inspected, tested, cleaned and disinfected in accordance with new section 17-194.1.

New section 28-317.5, entitled "Annual certification," would require owners of such cooling towers to certify compliance with new section 17-194.1 by November 1, 2016 and every November 1 thereafter.

New section 28-317.6, entitled "Fees," would allow DOB to charge filing fees for registration, discontinuing of use and annual certification.

New section 28-317.7, entitled "Enforcement," would make failure to register a cooling tower or submit a certification or statement required by new article 317 a major violation.

Section two of Preconsidered Int. No. 866 would add a new section 17-194.1 to chapter one of title 17 of the Code. Chapter one of title 17 sets out requirements for DOHMH.

Subdivision a of new section 17-194.1, entitled "Definitions," would set forth applicable definitions.

Subdivision b of new section 17-194.1, entitled "Registration," would require owners of buildings with cooling towers to register such cooling towers with DOB.

Subdivision c of new section 17-194.1, entitled "Maintenance program and plan," establishes requirements for developing and implementing a maintenance program and plan in accordance with Sections 5, 6 and 7.2 of Standard 188 from the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE), entitled "Legionellosis: Risk Management for Building Water Systems." Such plans would have to be developed by qualified individuals.

Subdivision d, entitled “Cleaning and disinfection after extended shut-down,” would require an owner to clean and disinfect cooling towers, where a cooling system has been shut down for more than seven days, within 15 days before the use of such system.

Subdivision e of new section 17-194.1, entitled “Minimum requirements for inspections and testing,” would require cooling towers to be inspected and tested every three months while a cooling tower is in use. Paragraph 1 of subdivision e would require each inspection to include an evaluation of the cooling tower and associated equipment for the presence of organic materials, biofilm, algae and other visible contaminants. Paragraph 2 would require each inspection to include a test for microbes in the water of the cooling tower and would require DOHMH to establish (1) the targets and acceptable methods of microbial testing and laboratory analysis, (2) the levels of microbes are indicative of a maintenance deficiency that requires mitigation to prevent potential health risks and (3) the levels that present a serious health threat and require immediate action and reporting. Subparagraph a of paragraph 3 would require the owner to, within forty-eight hours of any test revealing a level of microbes indicative of a maintenance deficiency which requires mitigation to prevent health risks, clean and disinfect the cooling tower. And subparagraph b of paragraph 3 would require the owner to, immediately after a test reveals levels of microbes which present a serious health threat, notify DOHMH, clean and disinfect the cooling tower, and include an additional application of biocide.

Subdivision f, entitled “Inspections, cleaning and disinfection,” would require all inspections, cleaning and disinfection be performed by or under the supervision of a qualified person.

Subdivision g of new section 17-194.1, entitled “Abatement,” would allow DOHMH, where an owner hasn’t cleaned and disinfected a cooling tower in accordance with new subdivision e, to serve an order on the owner requiring compliance within a specified time. DOHMH would also be empowered to authorize any agency of the city to execute the order and recover the costs of such execution from the owner, where such owner did not comply with the order.

Subdivision h of new section 17-194.1, entitled “Recordkeeping,” would require an owner to keep and maintain records of all cooling tower inspections and tests for at least three years and to keep the maintenance program and plan required by new subdivision c on the premises where the cooling tower is located. The records and the plan would have to be made available to DOHMH immediately upon request.

Subdivision i of new section 17-194.1, is entitled “Enforcement.” Paragraph 1 would allow DOHMH to enter into any property to inspect the cooling tower. Subparagraph (i) of paragraph 2 would make any owner who fails to comply with the provisions of new section 17-194.1 liable for a civil penalty of not more than \$2000 for a first violation, and not more than \$5000 for a second or subsequent violation, except that such owner would be liable for a penalty of not more than \$10,000 for any violation that is accompanied by or results in a fatality or serious injury. Subparagraph (ii) would make a violation of an order pursuant to subdivision g of this section a misdemeanor punishable by a fine of not more than \$25,000 or imprisonment for not more than one year, or both.

Subdivision j, entitled “Electronic reporting” would allow DOHMH to require any report required by new section 17-194.1 to be submitted electronically.

Section three of this legislation includes reporting and recommendation requirements. Subdivision a of such section requires DOHMH, in consultation with DOB, to submit a report to the mayor and the speaker on or before May 15 of each year until May 15, 2025 on the number of (1) cooling towers registered, (2) annual certifications received, (3) reports sent to DOHMH of tests on cooling towers that revealed levels of microbes that represent serious health threats, (4) inspections of cooling towers, and violations cited, by DOHMH, (5) cleanings, disinfections or other actions performed by or on behalf of the department and (6) the number of persons diagnosed with legionnaires' disease in the city in each of the previous ten years. Subdivision b requires DOHMH to submit a report to the mayor and the speaker on or before March 1, 2016 that includes an assessment and recommendations on whether this local law should be amended to include requirements for any of the building water systems described in the American Society of Heating Refrigeration and Air-Conditioning Engineers standard 188 for the year 2015. Subdivision c of section three of this legislation requires DOHMH to submit a report to the mayor and the speaker on or before March 1, 2017 on (1) the implementation of this legislation, (2) the effectiveness of this legislation in preventing outbreaks of Legionnaires' disease and (3) recommendations for improvements or modifications to this legislation.

Section four of this legislation contains the enactment clause and provides that this local law take effect immediately, except that subdivision c of new section 17-194.1 would take effect March 1, 2016, and that new section 28-317.4 and subdivisions e, f, g, h and i of new section 17-194.1 would take effect upon the promulgation of rules by DOHMH.

Changes to Preconsidered Int. No. 866

In addition to various technical edits, Preconsidered Int. No. 866 has been amended in the following manner:

- A list of information required to be included in the registration was added.
- Owners of existing cooling towers must now register such cooling towers with DOB within 30 days instead of 45 days.
- Maintenance plans now also have to comply with sections 5 and 6 of Standard 188 from the American Society of Heating, Refrigeration and Air-Conditioning Engineers.
- The length of the shutdown which would require owners to clean and disinfect their cooling towers has been expanded from three days to five days.
- The time for owners to clean and disinfect their cooling towers after a test revealed a level of microbes indicative of a maintenance deficiency which requires mitigation to prevent health risks has been reduced from seven days to forty-eight hours.

Update

On Thursday, August 13, 2015, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

¹ See Centers for Disease Control and Prevention, Legionella (Legionnaires' Disease and Pontiac Fever) available at: <http://www.cdc.gov/legionella/index.html>

² See Canadian Centre for Occupational Health and Safety, Legionnaire's Disease, available at: <http://www.ccohs.ca/oshanswers/diseases/legion.html>

³ See United States Department of Labor: Occupational Safety & Health Administration, Section II:C-1. Domestic Hot-Water Systems, available at: <https://www.osha.gov/dts/osta/otm/legionnaires/hotwater.html> and See United States Department of Labor: Occupational Safety & Health Administration, Section II:A. Cooling Towers, Evaporative Condensers, and Fluid Coolers, available at: https://www.osha.gov/dts/osta/otm/legionnaires/cool_evap.html

⁴ See Canadian Centre for Occupational Health and Safety, Legionnaire's Disease, available at: <http://www.ccohs.ca/oshanswers/diseases/legion.html>

⁵ The Centers for Disease Control and Prevention defines Pneumonia as "an infection of the lungs that can cause mild to severe illness in people of all ages" available at: <http://www.cdc.gov/pneumonia/>

⁶ See Centers for Disease Control and Prevention, Legionella (Legionnaires' Disease and Pontiac Fever) available at: <http://www.cdc.gov/legionella/index.html>

⁷ See Centers for Disease Control and Prevention, Legionella (Legionnaires' Disease and Pontiac Fever) available at: <http://www.cdc.gov/legionella/index.html>

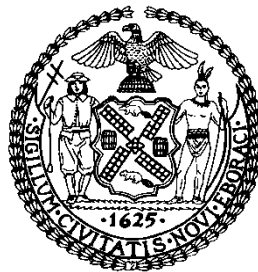
⁸ See Canadian Centre for Occupational Health and Safety, Legionnaire's Disease, available at: <http://www.ccohs.ca/oshanswers/diseases/legion.html>

⁹ See United States Department of Labor: Occupational Safety & Health Administration, Section I: What is Legionnaires' disease, available at https://www.osha.gov/dts/osta/otm/legionnaires/disease_rec.html#Causative

¹⁰ See The New York City Department of Health and Mental Hygiene, Legionnaires' Disease – Commissioner's Order, available at: <http://www.nyc.gov/html/doh/html/diseases/legi-comm-order.shtml>

¹¹ See The New York City Department of Health and Mental Hygiene, Legionnaires' Disease – Commissioner's Order, available at: <http://www.nyc.gov/html/doh/html/diseases/legi-comm-order.shtml>

(The following is the text of the Fiscal Impact Statement for Int. No. 866:)



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

**LATONIA MCKINNEY,
DIRECTOR**

FISCAL IMPACT STATEMENT

PRECONSIDERED INT. 866:

**COMMITTEE: Housing and
Buildings**

TITLE: A local law to amend the administrative code of the city of New

SPONSOR(S): The Speaker
(Council Member Mark-Viverito)

York, in relation to regulation of cooling towers and Council Members Gibson, Johnson and Williams (in conjunction with the Mayor)

SUMMARY OF LEGISLATION: This legislation would require owners of cooling towers to register such towers with the Department of Buildings (DOB) and develop a plan for maintaining such towers. It would also require cooling towers to be inspected and tested on a quarterly basis. If any test comes back positive for microbes, such as the bacteria that cause Legionnaires' Disease, then the owner would have to clean and disinfect the system in accordance with Department of Health and Mental Hygiene (DOHMH) regulations. Finally, this bill would require DOHMH to report to the Council on the implementation of this law.

EFFECTIVE DATE: This local law would take effect immediately, except that subdivision c of section 17-194.1 of the Administrative Code as added by section two of this local law would take effect on March 1, 2016; and that section 28-317.4 of the Administrative Code, as added by section one of this local law, and subdivisions e, f, g, h and i of section 17-194.1 of the Administrative Code, as added by section two of this local law, would take effect upon the promulgation of rules by DOHMH.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues	\$0	\$0	\$0
Expenditures	\$0*	\$0*	\$0*
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be minimal to no impact on revenues as a result of this legislation. Although fines could be imposed for non-compliance, full compliance with the legislation is anticipated and it is assumed that buildings with existing cooling towers are already in compliance with provisions of the legislation. In addition, while DOB could charge filing fees for the registration, discontinuing of use, and annual certification of buildings with cooling towers, these fees are not mandated under this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be minimal to no impact on expenditures as a result of this legislation. The costs associated with the inspecting, testing, and disinfecting of cooling towers will vary based on the size of the existing system, but will be borne by the building owners. In addition, the costs of laboratory tests to detect Legionella bacteria will also vary based on the number and type of testing that will be established by DOHMH rules. The range of costs for laboratory tests is estimated to range from \$35 to \$100 per cooling tower and will also be borne by the building owners.

*There are an estimated 4,000 cooling towers Citywide, but at the time of this writing, the number of cooling towers in City-owned buildings is unknown and being reviewed. To the extent that there are any cooling towers in City-owned buildings, the City would bear the costs outlined above in order to comply with this legislation. It is anticipated that the reporting and other administrative requirements of this legislation would be implemented using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not applicable.

SOURCE OF INFORMATION: New York City Council, Finance Division
New York City Office of Management
and Budget
Mayor's Office of Legislative Affairs
New York City Department of Buildings
New York City Department of Health and
Mental Hygiene

ESTIMATE PREPARED BY: Sarah Gastelum, Legislative Financial Analyst
Emre Edev, Principal Legislative Financial Analyst

ESTIMATE REVIEWED BY: Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This Preconsidered Intro. was considered by the Committee on Housing and Buildings on August 11, 2015 and will be introduced by the full Council on August 13, 2015. The Preconsidered Intro. will be voted on by the Committee on Housing and Buildings on August 13, 2015 and, upon successful vote by the Committee, the Preconsidered Intro. will be voted on by the full Council on August 13, 2015.

DATE PREPARED: August 13, 2015

Accordingly, this Committee recommends its adoption.

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

JULISSA FERRERAS-COPELAND, *Chairperson*; JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, August 13, 2015.

(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Int No. 866-A:)

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Pursuant to authority vested in me by section twenty of the Municipal Home Rule and by section thirty-seven of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law, entitled:

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to regulation of cooling towers.

Given under my hand and seal this 11th day of August, 2015 at City Hall in the City of New York.

Bill de Blasio
Mayor

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

August 13, 2015

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Report of the Committee on Land Use

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

Report for L.U. No. 270

Report of the Committee on Land Use in favor of approving Application No. 20155364 SCR pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 345-seat annex building to serve the existing Curtis High School, located on Saint Marks Place west of Nicholas Street (Block 22, part of Lot 1), in the Borough of Staten Island, Community School District No. 31, Community Board 1, Council District 49.

The Committee on Land Use to which the annexed Land Use item was referred on August 13, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

STATEN ISLAND CB - 01

20155364 SCR

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 345-Seat Annex to Curtis High School to be located at the rear of the building on St. Marks Place west of Nicholas Street (Block 22, Lot 1, in portion), in Community School District No. 31.

INTENT

To construct a new, approximately 345-seat annex building at the rear of Curtis High School which is located in the St. George section of Staten Island to accommodate students in grade levels nine through twelve.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Six

Witnesses Against: Four

SUBCOMMITTEE RECOMMENDATION

DATE: August 12, 2015

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor: Koo, Arroyo, Levin, Kallos

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

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 819

Resolution approving the site plan for a new, approximately 345-Seat Annex to Curtis High School Facility to be located at the rear of the building on St. Marks Place west of Nicholas Street (Block 22, Portion of Lot 1), Community District 1, Borough of Staten Island (Non-ULURP No. 20155364 SCR; Preconsidered L.U. No. 270).

By Council Members Greenfield and Koo.

WHEREAS, the New York City School Construction Authority submitted to the Council on August 4, 2015, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 345-Seat Annex to Curtis High School Facility to be located at the rear of the building on St. Marks Place west of Nicholas Street (Block 22, Lot 1, in portion), Community District No. 1, Borough of Staten Island, serving students in grade levels nine through twelve in Community School District No. 31 (the "Site Plan");

August 13, 2015

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WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on August 11, 2015;

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued on August 3, 2015, (SEQR Project Number 16-003) (the “Negative Declaration”); and

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

RESOLVED:

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

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

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

Report for L.U. No. 271

Report of the Committee on Land Use in favor of approving Application No. 20155589 SCQ pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 450-seat primary school, located on the north side of 34th Avenue between 69th and 70th Streets (Block 1242, Lot 32), in the Borough of Queens, Community School District No. 30, Community Board 3, Council District 25.

The Committee on Land Use to which the annexed Land Use item was referred on August 13, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 03

20155589 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 450-Seat Primary School Facility, known as P.S. 398-Queens, to be located on the north side of 34th Avenue between 69th and 70th Streets (Block 1242, Lot 32), in Community School District No. 30.

INTENT

To acquire the 20,000 square foot site to construct a new, approximately 450-seat primary school facility in the Jackson Heights section of Queens to accommodate students from pre-kindergarten through fifth grade.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 12, 2015

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor: Koo, Mendez, Levin, Kallos,

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

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

August 13, 2015

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In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 820

Resolution approving the site plan for a new, approximately 450-Seat Primary School Facility, known as P.S. 398-Queens, to be located on the north side of 34th Avenue between 69th and 70th Streets (Block 1242, Lot 32), Community District 3, Borough of Queens (Non-ULURP No. 20155589 SCQ; Preconsidered L.U. No. 271).

By Council Members Greenfield and Koo.

WHEREAS, the New York City School Construction Authority submitted to the Council on August 4, 2015, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 450-Seat Primary School Facility, known as P.S. 398-Queens, to be located on the north side of 34th Avenue between 69th and 70th Streets (Block 1242, Lot 32), in the Jackson Heights section of Queens, Community District No. 3, Borough of Queens, serving students in pre-kindergarten through fifth grade in Community School District No. 30 (the "Site Plan");

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on August 11, 2015;

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued on August 3, 2015, (SEQR Project Number 16-004) (the "Negative Declaration"); and

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

RESOLVED:

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

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

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

Report for L.U. No. 272

Report of the Committee on Land Use in favor of approving Application No. 20155388 SCK pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 240-seat pre-kindergarten school, located on the north side of 93rd Street between 3rd and 4th Avenues (Block 6103, Lots 42 and 43), in the Borough of Brooklyn, Community School District No. 20, Community Board 10, Council District 43.

The Committee on Land Use to which the annexed Land Use item was referred on August 13, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 10

20155388 SCK

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 240-seat pre-kindergarten school facility to be located on the north side of 93rd Street between 3rd and 4th Avenues (Block 6103, Lots 42 and 43), in Community School District No. 20.

August 13, 2015

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INTENT

To acquire the approximately 13,800 square foot site which is located in the Bay Ridge section of Brooklyn to construct a new, approximately 240-seat pre-kindergarten school facility.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 12, 2015

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor: Koo, Mendez, Levin, Kallos

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 821

Resolution approving the site plan for a new, approximately 240-Seat Pre-Kindergarten School Facility to be located on the north side of 93rd Street between 3rd and 4th Avenues (Block 6103, Lots 42 and 43), Community District 10, Borough of Brooklyn (Non-ULURP No. 20155388 SCK; Preconsidered L.U. No. 272).

By Council Members Greenfield and Koo.

WHEREAS, the New York City School Construction Authority submitted to the Council on August 4, 2015, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 240-Seat Pre-Kindergarten School Facility to be located on the north side of 93rd Street between 3rd and 4th Avenues (Block 6103, Lots 42 and 43) in the Bay Ridge section of Brooklyn, Community District No. 10, Borough of Brooklyn, serving pre-kindergarten students in Community School District No. 20 (the "Site Plan");

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on August 11, 2015;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on August 3, 2015, (SEQR Project Number 16-002) (the "Negative Declaration"); and

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

RESOLVED:

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

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

August 13, 2015

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

Report for L.U. No. 273

Report of the Committee on Land Use in favor of approving Application No. 20155170 SCQ pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 504-Seat Primary School facility to be located on the south side of Albert Road between Raleigh Street and 99th Place (Block 11558, Portion of Lot 1 and Block 11560, Portion of Lot 1), and the intervening Bed of Huron Street, Borough of the Queens, in Community School District No. 27, Community Board 10, Council District 32.

The Committee on Land Use to which the annexed Land Use item was referred on August 13, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 10

20155170 SCQ

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 504-Seat Primary School Facility, known as P.S. 335-Queens, to be located on the south side of Albert Road between Raleigh Street and 99th Place (Block 11558, Portion of Lot 1 and Block 11560, Portion of Lot 1, and the intervening Bed of Huron Street), Borough of Queens, in Community School District No. 27.

INTENT

To acquire the site to construct a new, approximately 504-Seat Primary School to serve students in pre-kindergarten through fifth grade in Community School District 27.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** August 12, 2015

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor: Koo, Mendez, Levin, Kallos**Against:** *None* **Abstain:** *None***COMMITTEE ACTION****DATE:** August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 822

Resolution approving the site plan for a new, approximately 504-Seat Primary School Facility, known as P.S. 335-Queens, to be located on the south side of Albert Road between Raleigh Street and 99th Place (Block 11558, Portion of Lot 1 and Block 11560, Portion of Lot 1, and the intervening Bed of Huron Street), in Community District 10, Borough of Queens (Non-ULURP No. 20155170 SCQ; Preconsidered L.U. No. 273).

By Council Members Greenfield and Koo.

WHEREAS, the New York City School Construction Authority submitted to the Council on August 6, 2015, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 504-Seat Primary School Facility, known as P.S. 335-Queens, to be located on the south side of Albert Road between Raleigh Street and 99th Place (Block 11558, Portion of Lot 1 and Block 11560, Portion of Lot 1, and the intervening Bed of Huron Street), Community District No. 10, Borough of Queens, serving students in pre-kindergarten through fifth grade in Community School District No. 27 (the "Site Plan");

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WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on August 11, 2015;

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration issued on August 6, 2015, (SEQR Project Number 16-006) (the “Negative Declaration”); and

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

RESOLVED:

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

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 257

Report of the Committee on Land Use in favor of approving Application No. 20155525 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 411 Restaurant Corp. d/b/a Tonic, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 411 Third Avenue, Borough of Manhattan, Community Board 6, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2978) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 06

20155525 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 411 Rest Corp, d/b/a Tonic, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 411 3rd Avenue.

INTENT

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

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

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In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 823

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 411 3rd Avenue, Borough of Manhattan (20155525 TCM; L.U. No. 257).

By Council Members Greenfield and Richards.

WHEREAS, the Department of Consumer Affairs filed with the Council on July 6, 2015 its approval dated July 2, 2015 of the petition of 411 Rest Corp., d/b/a Tonic, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 411 3rd Avenue, Community District 6, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on August 11, 2015; and

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

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 258

Report of the Committee on Land Use in favor of approving Application No. 20155693 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Third Avenue Café, LLC d/b/a Banc Café, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 431 Third Avenue, Borough of Manhattan, Community Board 6, Council District 2. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2978) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 06

20155693 TCM

Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Third Ave Café, LLC, d/b/a Banc Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 431 3rd Avenue.

INTENT

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

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

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SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

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

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 824

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 431 3rd Avenue, Borough of Manhattan (20155693 TCM; L.U. No. 258).

By Council Members Greenfield and Richards.

WHEREAS, the Department of Consumer Affairs filed with the Council on July 6, 2015 its approval dated July 2, 2015 of the petition of Third Ave Café LLC, d/b/a Banc Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 431 3rd Avenue, Community District 6, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on August 11, 2015; and

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

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 259

Report of the Committee on Land Use in favor of approving Application No. 20155689 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Jonilu, LLC d/b/a La Villetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 398 East 52nd Street, Borough of Manhattan, Community Board 6, Council District 4. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2978) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB – 06260

20155689 TCM

August 13, 2015

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Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Jonilu LLC, d/b/a La Villetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 398 East 52nd Street.

INTENT

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

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 825

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 398 East 52nd Street, Borough of Manhattan (20155689 TCM; L.U. No. 259).

By Council Members Greenfield and Richards.

WHEREAS, the Department of Consumer Affairs filed with the Council on July 15, 2015 its approval dated July 13, 2015 of the petition of Jonilu, LLC, d/b/a La Villetta, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 398 East 52nd Street, Community District 6, Borough of Manhattan (the "Petition"), pursuant to Section 20-226 of the New York City Administrative Code (the "Administrative Code");

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

WHEREAS, upon due notice, the Council held a public hearing on the Petition on August 11, 2015; and

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

RESOLVED:

Pursuant to Section 20-226 of the Administrative Code, the Council approves the Petition.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

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Report for L.U. No. 260

Report of the Committee on Land Use in favor of approving Application No. N 150287 ZRX submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4, to amend Section 74-745 to create a new special permit to allow for the City Planning Commission to waive or reduce parking requirements for non-profit residences for the elderly, Borough of the Bronx, Community Board 1, Council District 8.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2979) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 01

N 150287 ZRX

City Planning Commission decision approving an application submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Community District 1 in the Borough of the Bronx.

INTENT

This zoning text amendment, in conjunction with the other related actions, would facilitate the development of two new low-income residential senior housing buildings, one 8-story and one 12-story, with ground floor retail space, community facility space, parking and open space.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

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

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 826

Resolution approving the decision of the City Planning Commission on Application No. N 150287 ZRX, for an amendment of the Zoning Resolution of the City of New York, involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for the elderly in Community District 1, Borough of the Bronx (L.U. No. 260).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the West Side Federation for Senior and Supportive Housing, for an amendment of the text of the Zoning Resolution of the City of New York, involving provisions for large-scale general developments relating to a special permit by which the City Planning Commission may reduce or waive parking requirements for non-profit residences for

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the elderly in Bronx Community District 1 (Application No. N 150287 ZRX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the application is related to Application C 150288 ZMX (L.U. No. 261), an amendment to the Zoning Map, Section No. 6a, changing from R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6 to R6/C1-4; C 150289 ZSX (L.U. No. 262), a special permit pursuant to Section 74-743(a)(2) to permit location of buildings without regard to applicable yard, court, distance between buildings and height and setback regulations; and C 150344 ZSX (L.U. No. 263), a special permit pursuant to Section 74-745(c) to waive the number of required off-street accessory parking spaces;

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 August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP119X) issued on April 20, 2015 (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 this report, N 150287 ZRX, incorporated by reference herein, the Council approves the Decision.

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

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

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

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

74-74

Large-Scale General Development

* * *

74-745

Accessory parking spaces and loading berths

Modifications of parking and loading regulations

For a #large-scale general development# the City Planning Commission may permit:

(a) Modification of location requirements

When a #large-scale general development# includes two or more #zoning lots#, the City Planning Commission may permit required or permitted #accessory# off-street parking spaces, bicycle parking spaces or loading berths to be located anywhere within a #large-scale general development# without regard for #zoning lot lines#, provided that the Commission shall find:

(1) such off-street parking spaces, bicycle parking spaces and loading berths will be conveniently located in relation to the #use# to which such spaces or berths are #accessory#;

(2) such location of off-street parking spaces, bicycle parking spaces and loading berths will result in a better site plan; and

(3) such location of off-street parking spaces, bicycle parking spaces and loading berths will not unduly increase the number of spaces in any single #block#, draw excessive traffic through local #streets#, or otherwise adversely affect traffic conditions in the surrounding area.

Whenever required off-street parking spaces, bicycle parking spaces and loading berths are permitted to be located without regard for #zoning lot lines# in accordance with the provisions of this Section, the number of spaces required for each #building# shall be kept available for such #building# throughout its life.

(b) Waiver or reduction of loading berth requirements

For #zoning lots# in a #large-scale general development#, located within a waterfront area pursuant to paragraph (b) of Section 62-132, in Community District 1 in the Borough of Brooklyn, that contains one or more #retail or service uses# listed

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in Use Group 6A, 6C, 7B, 8B, 9A, 10A, 12B, 14A or 16A, and where no single such establishment exceeds 8,500 square feet in #floor area#, the City Planning Commission may waive or reduce the number of required loading berths, provided that:

(1) curbside deliveries will not create or contribute to serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not interfere with the efficient functioning of nearby #uses#;

(2) an efficient goods receiving system will be implemented within the #commercial# establishment to expedite the movement of goods from the curb to areas within the establishment;

(3) such modification allows for a better relationship between the #street walls# of the #building# containing such establishment and the adjacent sidewalk and surrounding area; and

(4) such modification will not impair or adversely affect the development of the surrounding area.

(c) Reduction of parking requirements

For #buildings# on #zoning lots# in a #large-scale general development#, within R7-2 Districts in Community District 1 in the Borough of the Bronx, that contain a #non-profit residence for the elderly#, the City Planning Commission may waive or reduce the number of required #accessory# off-street parking spaces, including any spaces previously required for an existing #building# provided that the Commission finds:

(1) that the anticipated automobile ownership patterns for residents of such #non-profit residence for the elderly# are minimal and that such waiver or reduction is warranted;

(2) that such waiver or reduction of parking spaces will not have undue adverse impacts on the residents, businesses or community facilities in the surrounding area; and

(3) that such waiver or reduction of parking spaces will result in a better site plan with better quality open areas.

In determining the amount of parking spaces to waive or reduce, the Commission may take into account current automobile ownership patterns for an existing #non-profit residence for the elderly# on the #zoning lot#, as applicable.

The City Planning Commission may prescribe additional conditions and safeguards to minimize adverse effects on the surrounding area.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 261

Report of the Committee on Land Use in favor of approving Application No. C 150288 ZMX submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 6a, changing an R6 District to an R7-2 District, establishing within an existing R6 District a C1-4 District, establishing within a proposed R7-2 District a C1-4 District, and establishing within a proposed R7-2 District a C2-4 District, on property generally bounded by Third Avenue, 139th Street, Alexander Avenue, and 138th Street, Borough of the Bronx, Community Board 1, Council District 8.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2979) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 01

C 150288 ZMX

City Planning Commission decision approving an application submitted by the West Side Federation for Senior and Supportive Housing 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 to an R7-2 District property bounded by East 139th Street and its northwesterly prolongation, a line 150 feet northwesterly of Alexander Avenue, a line midway between East

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139th Street and East 138th Street, a line 100 feet northwesterly of Alexander Avenue, East 138th Street, Morris Avenue, Third Avenue, and Morris Avenue;

2. establishing within an existing R6 District a C1-4 District bounded by a line midway between East 139th Street and East 138th Street, Alexander Avenue, East 138th Street, and a line 100 feet northwesterly of Alexander Avenue;
3. establishing within a proposed R7-2 District a C1-4 District bounded by a line midway between East 139th Street and East 138th Street, a line 100 feet northwesterly of Alexander Avenue, East 138th Street, and a line 100 feet southeasterly of Third Avenue; and
4. establishing within a proposed R7-2 District a C2-4 District bounded by East 139th Street and its northwesterly prolongation, a line 100 feet southeasterly of Third Avenue, East 138th Street, Morris Avenue, Third Avenue, and Morris Avenue;

as shown on a diagram (for illustrative purposes only), dated April 20, 2015.

INTENT

This zoning map amendment, in conjunction with the other related actions, would facilitate the development of two new low-income residential senior housing buildings, one 8-story and one 12-story, with ground floor retail space, community facility space, parking and open space.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION**DATE:** August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 827

Resolution approving the decision of the City Planning Commission on ULURP No. C 150288 ZMX, a Zoning Map amendment (L.U. No. 261).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), on the application submitted by West Side Federation for Senior and Supportive Housing, 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 R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6/C1-4 districts to facilitate the development of two new low-income residential senior housing buildings, one 8-story and one 12-story, with ground floor retail space, community facility space, parking and open space, in Community District 1 (ULURP No. C 150288 ZMX), Borough of the Bronx (the "Application");

WHEREAS, the Application is related to application N 150287 ZRX (L.U. No. 260), a zoning text amendment to permit a reduction in required parking; C 150289 ZSX (L.U. No. 262), a special permit pursuant to Section 74-743(a)(2) to permit location of buildings without regard to applicable yard, court, distance between buildings and height and setback regulations; and C 150344 ZSX (L.U. No. 263), a special permit pursuant to Section 74-745(c) to waive the number of required off-street accessory parking spaces;

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 August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP119X) issued on April 20, 2015 (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 150288 ZMX, incorporated by reference herein, the Council approves the Decision.

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

5. changing from an R6 to an R7-2 District property bounded by East 139th Street and its northwesterly prolongation, a line 150 feet northwesterly of Alexander Avenue, a line midway between East 139th Street and East 138th Street, a line 100 feet northwesterly of Alexander Avenue, East 138th Street, Morris Avenue, Third Avenue, and Morris Avenue;

6. establishing within an existing R6 District a C1-4 District bounded by a line midway between East 139th Street and East 138th Street, Alexander Avenue, East 138th Street, and a line 100 feet northwesterly of Alexander Avenue;

7. establishing within a proposed R7-2 District a C1-4 District bounded by a line midway between East 139th Street and East 138th Street, a line 100 feet northwesterly of Alexander Avenue, East 138th Street, and a line 100 feet southeasterly of Third Avenue; and

8. establishing within a proposed R7-2 District a C2-4 District bounded by East 139th Street and its northwesterly prolongation, a line 100 feet southeasterly of Third Avenue, East 138th Street, Morris Avenue, Third Avenue, and Morris Avenue;

as shown on a diagram (for illustrative purposes only), dated April 20, 2015, Community District 1, Borough of the Bronx.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 262

Report of the Committee on Land Use in favor of approving Application No. C 150289 ZSX submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify height and setback requirements, yard requirements, distance between building requirements, and court requirements, in connection with a proposed mixed use development on property located at 285 East 138th Street (Block 2314, Lot 1), Borough of the Bronx, Community Board 1, Council District 8. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2979) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 01

C 150289 ZSX

City Planning Commission decision approving an application submitted by the West Side Federation for Senior and Supportive Housing pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements of Section 23-632 (Front setbacks in districts where front yards are not required), the yard requirements of Section 24-33 (Permitted Obstructions in required Yards in Rear yard Equivalent), distance between building requirements of Section 23-711 (Standard minimum distance between buildings) and court requirements of Section 23-842 (Wide outer courts), in connection with a proposed mixed-use

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development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development.

INTENT

This special permit action, in conjunction with the other related actions, would facilitate the development of two, new low-income residential senior housing buildings, an 8-story and a 12-story, with ground floor retail space, community facility space, parking and open space.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 828

Resolution approving the decision of the City Planning Commission on ULURP No. C 150289 ZSX (L.U. No. 262), for the grant of a special permit pursuant

to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements of Section 23-632 (Front setbacks in districts where front yards are not required), the yard requirements of Section 24-33 (Permitted Obstructions in required Yards in Rear yard Equivalent), distance between building requirements of Section 23-711 (Standard minimum distance between buildings) and court requirements of Section 23-842 (Wide outer courts), in connection with a proposed mixed-use development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development, Community District 1, Borough of the Bronx.

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), on the application submitted by West Side Federation for Senior and Supportive Housing, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution to modify the height and setback requirements of Section 23-632 (Front setbacks in districts where front yards are not required), the yard requirements of Section 24-33 (Permitted Obstructions in required Yards in Rear yard Equivalent), distance between building requirements of Section 23-711 (Standard minimum distance between buildings) and court requirements of Section 23-842 (Wide outer courts), in connection with a proposed mixed-use development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development, (ULURP No. C 150289 ZSX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to application N 150287 ZRX (L.U. No. 260), a zoning text amendment to permit a reduction in required parking; C 150288 ZMX (L.U. No. 261), a proposed amendment to the Zoning Map, Section No. 6a, changing from R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6 to R6/C1-4; and C 150344 ZSX (L.U. No. 263), a special permit pursuant to Section 74-745(c) to waive the number of required off-street accessory parking spaces;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-743(a)(2) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP119X) issued on April 20, 2015 (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 this report, C 150289 ZSX, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

1. The property that is the subject of this application (C 150289 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Redtop Architects, filed with this application and incorporated in this resolution:

<u>Drawing</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	Zoning Analysis	April. 08, 2015
Z-100	Zoning Lot Site Plan	April 08, 2015
Z-110	Waiver and Encroachment Plan	April 08, 2015
Z-400	Site Sections: A, B, C	February 27, 2015
Z-401	Site Sections: D, E, F	April 08, 2015
Z-402	Site Sections: G and H	April 08, 2015

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.

7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 263

Report of the Committee on Land Use in favor of approving Application No. C 150344 ZSX submitted by the West Side Federation for Senior and Supportive Housing pursuant to Section 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-745(c) of the Zoning Resolution to waive the number of required accessory off-street parking spaces, in connection with a proposed mixed use development on property located at 285 East 138th Street (Block 2314, Lot 1), Borough of the Bronx, Community Board 1, Council District 8. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2980) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 01

C 150344 ZSX

City Planning Commission decision approving an application submitted by the West Side Federation for Senior and Supportive Housing pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permit pursuant to Section 74-745(c) of the Zoning Resolution to waive the number of required accessory off-street parking spaces, including a reduction of required accessory off-street parking spaces previously required for an existing building, in connection with a proposed mixed-use development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development.

INTENT

This amendment to the City Map, in conjunction with the other related actions, would facilitate the development of two new low-income residential senior housing buildings, one 8-story and one 12-story, with ground floor retail space, community facility space, parking and open space.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 829

Resolution approving the decision of the City Planning Commission on ULURP No. C 150344 ZSX (L.U. No. 263), for the grant of a special permit pursuant to Section 74-745(c) of the Zoning Resolution to waive the number of required accessory off-street parking spaces, including a reduction of required accessory off-street parking spaces previously required for an existing building, in connection with a proposed mixed-use development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development, Community District 1, Borough of the Bronx.

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), on the application submitted by West Side Federation for Senior and Supportive Housing, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-745(c) of the Zoning Resolution to waive the number of required

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accessory off-street parking spaces, including a reduction of required accessory off-street parking spaces previously required for an existing building, in connection with a proposed mixed-use development on property located at 285 East 138th Street (Block 2314, Lot 1), in R7-2, R7-2/C1-4 and R7-2/C2-4 Districts, within a large-scale general development (ULURP No. C 150344 ZSX), Community District 1, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to application N 150287 ZRX (L.U. No. 260), a zoning text amendment to permit a reduction in required parking; C 150288 ZMX (L.U. No. 261), a proposed amendment to the Zoning Map, Section No. 6a, changing from R6 to R7-2, R7-2/C1-4, R7-2/C2-4 and R6 to R6/C1-4; and C 150289 ZSX (L.U. No. 262), a special permit pursuant to Section 74-743(a)(2) to permit location of buildings without regard to applicable yard, court, distance between buildings and height and setback regulations;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-745(c) of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15DCP119X) issued on April 20, 2015 (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 this report, C 150344 ZSX, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

1. The property that is the subject of this application (C 150344 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions,

specifications and zoning computations indicated on the following plans, prepared by Redtop Architects, filed with this application and incorporated in this resolution:

<u>Drawing</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-001	Zoning Analysis	April. 08, 2015
Z-100	Zoning Lot Site Plan	April 08, 2015

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.

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7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 264

Report of the Committee on Land Use in favor of approving Application No. C 150203 MMM submitted by West Village Residences, LLC and the New York City Department of Parks and Recreation, pursuant to Section 197-c and 199 of the New York City Charter, for an amendment to the City Map involving the establishment of a park within the area bounded by Seventh Avenue, Greenwich Avenue, and West 12th Street, and the modification of block dimensions and legal grades necessitated thereby, including authorization for any acquisition or disposition of real property related, Borough of Manhattan, Community Board 2, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2980) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02

C 150203 MMM

City Planning Commission decision approving an application submitted by West Village Residences LLC and The New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a park within the area bounded by Seventh Avenue, Greenwich Avenue and West 12th Street; and
- the modification of block dimensions and legal grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30250 dated March 27, 2015 and signed by the Borough President.

INTENT

This city map amendment, in conjunction with the related zoning text amendment, would facilitate the establishment and subsequent conveyance of parkland to the City.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 830

Resolution approving the decision of the City Planning Commission on ULURP No. C 150203 MMM, an amendment to the City Map (L.U. No. 264).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), on the application submitted by West Village Residences, LLC and The New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a park within the area bounded by Seventh Avenue, Greenwich Avenue and West 12th Street; and
- the modification of block dimensions and legal grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 30250 dated March 27, 2015 and signed by the Borough President, (ULURP No. C 150203 MMM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to application N 150267 ZRM (L.U. No. 265), a proposed zoning text amendment to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as park and conveyed to the City of New York;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the determination by New York City Department of Parks and Recreation, dated December 3, 2014, that the Application is a Type II action pursuant to 6

NYCRR Part 617.5(c)(26) and requires no further review under CEQR (the “Type II Determination”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the Type II Determination.

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 150203 MMM, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the establishment of a park within the area bounded by Seventh Avenue, Greenwich Avenue and West 12th Street; and
- the modification of block dimensions and legal grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto in the Borough of Manhattan, Community District 2, in accordance with Map No. 30250 dated March 27, 2015 and signed by the Borough President is approved.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 30250 dated March 27, 2015, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

August 13, 2015

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Report for L.U. No. 265

Report of the Committee on Land Use in favor of approving Application No. N 150267 ZRM submitted by West Village Residences, LLC and the New York City Department of Parks and Recreation pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article VII, Chapter 4, to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as a park and conveyed to the City of New York, Borough of Manhattan, Community Board 2, Council District 3.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2981) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 02

N 150267 ZRM

City Planning Commission decision approving an application submitted by West Village Residences, LLC and The New York City Department of Parks and Recreation, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as park and conveyed to the City of New York.

INTENT

This zoning text amendment, in conjunction with the related amendment to the City Map, would facilitate the establishment and subsequent conveyance of parkland to the City.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

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

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

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

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

Res. No. 831

Resolution approving the decision of the City Planning Commission on Application No. N 150267 ZRM, for an amendment of the Zoning Resolution of the City of New York, to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as park and conveyed to the City of New York, Community District 2, Borough of Manhattan (L.U. No. 265).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by West Village Residences, LLC and the New York City Department of Parks and Recreation for an amendment of the text of the Zoning Resolution of the City of New York, to allow for open space being developed within the West Village Residences Large Scale General Development to be mapped as park and conveyed to the City of New York (Application No. N 150267 ZRM), Community District 2, Borough of Manhattan (the "Application");

WHEREAS, the Application is related to application C 150203 MMM (L.U. No. 264), an amendment to the City Map involving the establishment of a park and modification of block dimensions and legal grades;

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 August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Final Environmental Impact Statement (“FEIS”), for which a Notice of Completion was issued on January 12, 2012 (CEQR No. 10DCP003M), the CEQR Technical Memoranda dated March 22, 2012, March 24, 2012, December 17, 2012 and revised February 1, 2013, August 18, 2014 and February 17, 2015 (the “CEQR Technical Memoranda”);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment pursuant to the FEIS and CEQR Technical Memoranda.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 150267 ZRM, incorporated by reference herein, the Council approves the Decision.

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

- Matter in underline is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter within # # is defined in Section 12-10;
- * * * indicates where unchanged text appears in the Zoning Resolution

**ARTICLE VII
ADMINISTRATION**

**CHAPTER 4
Special Permits by the City Planning Commission**

* * *

Requirements for application

An application to the City Planning Commission for the grant of a special permit pursuant to Section 74-74 for a #large-scale general development# shall include a site plan showing the boundaries of the #large-scale general development# and the proposed location and #use# of all #buildings or other structures# on each #zoning lot# comprising the #large-scale general development#.

However, for applications proceeding pursuant to the ownership provisions of paragraph (e) of Section 74-742, such site plan need only show the applicable portion of the #large-scale general development# as set forth in paragraph (e)(1) or (e) (2) of Section 74-742.

74-742

Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-Scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

* * *

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

* * *

(d) partially under State or City ownership, or may include a tract of land under private ownership that is located within the bed of 26th Avenue between 1st Street and the bulkhead line within the Halletts Point Peninsula, in the area bounded by 8th Street and Vernon Boulevard on the east, the East River on the west and south, and the north side of 26th Avenue on the north, in Community District 1 in the Borough of Queens, provided that the exception to the ownership requirements set forth herein shall apply only to:

(1) tracts of land in State or City ownership; or

(2) a tract of land in private ownership located within the bed of 26th Avenue, between 1st Street and the #bulkhead# line-; or

(e) within Manhattan Community District 2, where the Commission has approved a special permit under Section 74-74 (Large-Scale General Development) for a #large-scale general development# located partially within a C2-7 District, and a portion of such #large-scale general development# is subsequently mapped as a park and transferred to City ownership, then the consent or authorization of any owner or party in interest:

(1) to such #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to property within the #large-scale general development# other than the #public park#; and

(2) to property other than the #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to the #public park#.

However, the consent or authorization of the owners and any party in interest to the other property shall be required if the proposed modification would impose an additional obligation or increase the degree of an obligation existing as of the date of the application for the modification on any such owner or any such party in interest.

**74-743
Special provisions for bulk modification**

(a) For a #large-scale general development#, the City Planning Commission may permit:

* * *

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

* * *

Within Manhattan Community District 2, within the former Washington Square Southeast Urban Renewal Area, ~~within Manhattan Community District 2~~, where the Commission has approved a #large-scale general development#, and a #lot line# of

such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

In addition, within Manhattan Community District 2, where the Commission has approved a #large-scale general development# located partially within a C2-7 District, if any #open space# approved pursuant to paragraph (a) (4) of Section 74-743 is subsequently mapped as a park and transferred to City ownership, the #open space# requirement approved for such #large-scale general development# pursuant to paragraph (a) (4) of Section 74-743 shall be reduced by the area of such #public park#.

Within Community District 1 in the Borough of Queens, the Commission may prescribe additional conditions to ensure that the purpose of the Inclusionary Housing program as set forth in Section 23-92 (General Provisions) is achieved in a #large-scale general development#. The Commission may establish procedures resulting in limiting the amount of #affordable floor area# utilizing #public funding# that may count toward satisfying the #affordable floor area# required in paragraph (b)(1) of Section 23-953. Any such procedures established by the Commission shall be set forth in the restrictive declaration required in connection with the grant of a special permit for such #large-scale general development#.

For a phased construction program of a multi-#building# complex, the Commission may, at the time of granting a special permit, require additional information, including but not limited to a proposed time schedule for carrying out the proposed #large-scale general development#, a phasing plan showing the distribution of #bulk# and #open space# and, in the case of a site plan providing for common #open space#, common open areas or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

The Commission may prescribe additional conditions and safeguards to improve the quality of the #large-scale general development# and to minimize adverse effects on the character of the surrounding area.

* * * END * * *

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

August 13, 2015

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

Report for L.U. No. 266

Report of the Committee on Land Use in favor of approving Application No. N 150141 ZRQ submitted by Bright Horizons Children's Center, LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article XI, Chapter 7, to change the ground floor use provisions in Section 117-03, Appendix C and related sections of the Special Long Island City Mixed Use District to allow community facility uses on the ground floor of buildings fronting on Queens Plaza, Borough of Queens, Community Boards 1 and 2, Council District 26.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2981) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 01 and 02

N 150141 ZRQ

City Planning Commission decision approving an application submitted by Bright Horizons Children's Center, LLC, pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7, to change the ground floor use provisions in Section 117-03, Appendix C and related sections of the Special Long Island City Mixed Use District.

INTENT

The zoning text amendment would allow community facility uses on the ground floors of developments fronting on three blocks located along Queens Plaza South and Queens Boulevard where ground floor uses are currently restricted to commercial use. This action would accommodate a child care facility at 1 Gotham Center in the Hunter's Point neighborhood of Queens.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Richards, Garodnick, Williams, Reynoso, Torres

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 832

Resolution approving the decision of the City Planning Commission on Application No. N 150141 ZRQ, for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7, to change the ground floor use provisions in Section 117-03, Appendix C and related sections of the Special Long Island City Mixed Use District, in Community Districts 1 and 2, Borough of Queens (L.U. No. 266).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 15, 2015 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Bright Horizons Children's Center, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7, to change the ground floor use provisions in Section 117-03, Appendix C and related sections of the Special Long Island City Mixed Use District. The amendment would allow a childcare

August 13, 2015

3124

facility known as Bright Horizons on the ground floor of 1 Gotham Center in the Hunter's Point neighborhood of Queens (Application No. N 150141 ZRQ), Community Districts 1 and 2, Borough of Queens (the "Application");

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the revised negative declaration (CEQR No. 15DCP123Q) issued on July 13, 2015 (the "Revised Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150141 ZRQ, incorporated by reference herein, the Council approves the Decision.

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

- Matter Underlined is new, to be added;
- Matter in ~~Strikeout~~ is old, to be deleted;
- Matter within # # is defined in Section 12-10;
- * * * indicate where unchanged text appears in the Zoning Resolution

* * *

**117-03
District Plan and Maps**

* * *

Appendix C Queens Plaza Subdistrict Plan Maps:

Map 1 - Designated Districts within the Queens Plaza Subdistrict

Map 2 - Ground Floor Use and Frontage

Map 3 - Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use.~~

* * *

117-502

Queens Plaza Subdistrict Plan

* * *

Map 3 (Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use~~) of the Queen Plaza Subdistrict Plan specifies the locations where special #street wall#, and Mandatory sidewalk widening ~~and ground floor #use#~~ regulations, as set forth in Sections 117-531 ~~and 117-553~~, apply applies.

* * *

117-531

Street wall location

* * *

(e) In the locations specified on Map 3 (Sidewalk Widening, and Street Wall Location ~~and Ground Floor Use~~) of Appendix C of this Chapter, a #building# shall comply with the provisions of paragraphs (a) through (d) of this Section, as applicable, except that #street walls# shall be located as specified on Map 3. The #street wall# of a #building# may be set back only in the areas indicated on Map 3 as "Permitted #Street Wall# Setback Locations," provided that the additional sidewalk widening resulting from such setback is accessible to the public, in accordance with the provisions of Section 117-554, and located adjacent to a public sidewalk or mandatory sidewalk widening.

* * *

117-551

General provisions

* * *

The provisions of Sections 117-553 (Mandatory sidewalk widening ~~and ground floor uses~~) and 117-554 (Mandatory sidewalk widening design requirements) apply to those locations identified on Map 3 in Appendix C of this Chapter.

* * *

117-553

Mandatory sidewalk widening ~~and ground floor uses~~

The sidewalk widening ~~and ground floor use~~ provisions of this Section shall apply to all ~~developments~~ or ~~enlargements~~ with ground floor ~~street walls~~ with a ratio of ~~floor area~~ to ~~lot area~~ of 3.0 or more.

(a) Sidewalk widening accessible to the public must be provided in the locations specified on Map 3 (Sidewalk Widening, ~~and~~ Street Wall Location ~~and Ground Floor Use~~) of Appendix C of this Chapter. Such mandatory sidewalk widening is subject to the design requirements of Section 117-554.

(b) ~~Ground floor commercial use~~ restriction

For any ~~building~~ or portion of a ~~building developed~~ or ~~enlarged~~ after July 26, 2001, ~~fronting on the mandatory sidewalk widening required in paragraph (a) of this Section, uses within stories on the ground floor or with a floor level within five feet of curb level shall be limited to commercial uses listed in Use Groups 5, 6A, 6C, 7A, 7B, 8A, 8B, 9, 10, 11A, 12A and 12B, where such uses are permitted by the special use regulations of Section 117-51 (Queens Plaza Subdistrict Special Use Regulations). Any such building, or portion thereof, fronting on such mandatory sidewalk widening shall be allocated exclusively to such uses, except for lobby space, entrance space or frontage used for subway access.~~

* * *

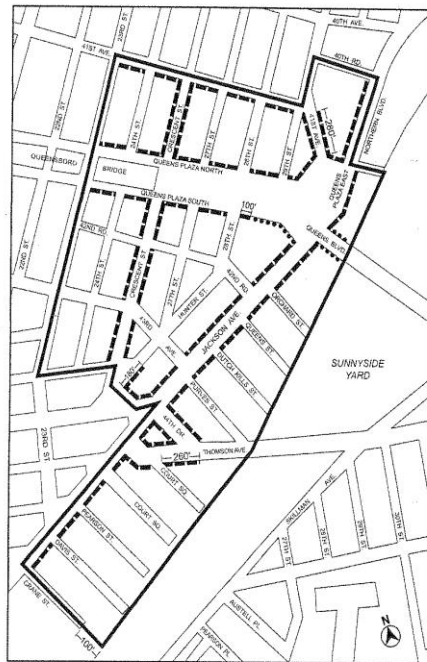
Appendix C

Queens Plaza Subdistrict Plan Maps

* * *

EXISTING

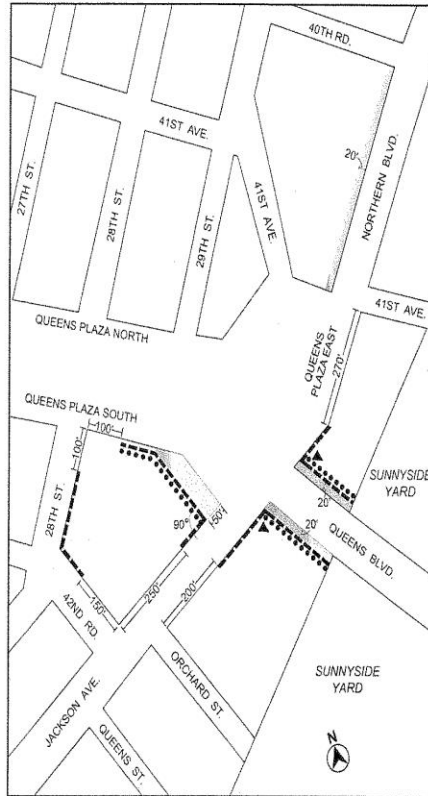
Map 2: Ground Floor Use and Frontage



- Queens Plaza Subdistrict Boundary
- - - Street Frontages where Ground Floors are Restricted to Non-Residential Uses
- Street Frontages where Ground Floors are Restricted to Commercial Uses

EXISTING

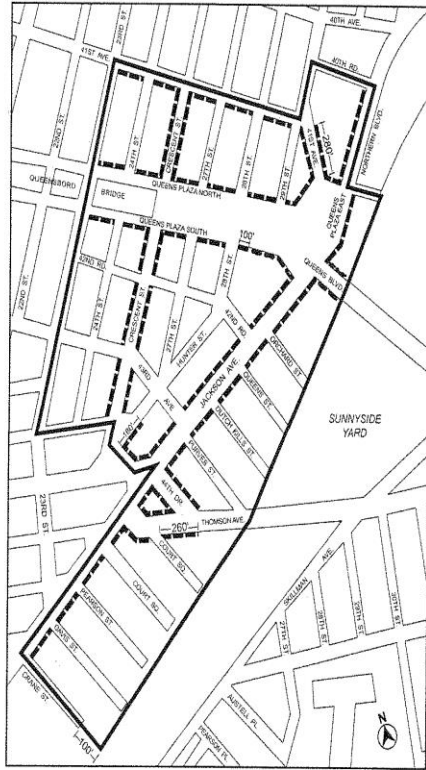
Map 3: Sidewalk Widening, Street Wall Location and Ground Floor Use



- ▨ Mandatory Sidewalk Widening
- - - Permitted Street Wall Setback Locations
- Ground Floor Commercial Use only
- ▲ Additional 1,500 sq. ft. of sidewalk widening to be located within 100' of the intersection.

PROPOSED

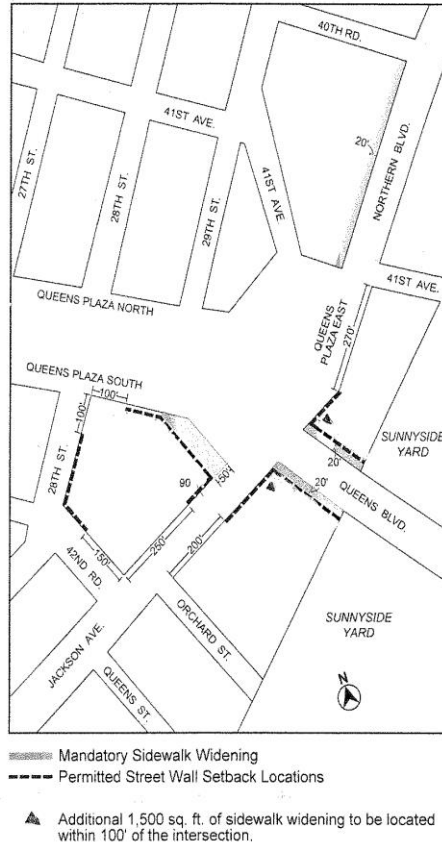
Map 2: Ground Floor Use and Frontage



- Queens Plaza Subdistrict Boundary
- - - Street Frontages where Ground Floors are Restricted to Non-Residential Uses

PROPOSED

Map 3: Sidewalk Widening and Street Wall Location



DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 267

Report of the Committee on Land Use in favor of approving Application No. C 150303 ZSX submitted by NYC Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed use development, on property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, 25, 28, 32, 33, 34, 38, 48, 8900, 8901, ARO Lot 23, and portions of demapped Brook Avenue, Melrose Crescent and East 162nd Street), within the Melrose Commons Urban Renewal Area, Borough of the Bronx, Community Board 3, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2981) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 03

C 150303 ZSX

City Planning Commission decision approving an 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 the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed-use development, on property located at Elton Avenue between E. 162nd Street and E. 163rd Street (Block 2384, Lots 20, 25, 28, 32, 33, 34, 38, 48, 8900, 8901, ARO Lot 23, and portions of demapped Brook Avenue, Melrose Crescent and E. 162nd Street), in R8 and R8/C1-4 Districts, within the Melrose Commons Urban Renewal Area.

INTENT

This Special Permit action, in conjunction with the related Urban Development Action Area designation, disposition and project approval, would facilitate the development of a twelve-story mixed-use building with approximately 277 dwelling units, community facility space, ground floor retail space, and vehicle and bike parking spaces in the Melrose neighborhood of the Bronx in Community District 3.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Dickens, Mealy, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 833

Resolution approving the decision of the City Planning Commission on ULURP No. C 150303 ZSX (L.U. No. 267), for the grant of a special permit pursuant

to Section 74-681 of the Zoning Resolution to allow that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed-use development, on property located at Elton Avenue between E. 162nd Street and E. 163rd Street (Block 2384, Lots 20, 25, 28, 32, 33, 34, 38, 48, 8900, 8901, ARO Lot 23, and portions of demapped Brook Avenue, Melrose Crescent and E. 162nd Street), in R8 and R8/C1-4 Districts, within the Melrose Commons Urban Renewal Area, Borough of the Bronx.

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (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 the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow that portion of the right-of-way or yard where railroad or transit use has been permanently discontinued or terminated to be included in the lot area, in connection with a proposed mixed-use development, on property located at Elton Avenue between E. 162nd Street and E. 163rd Street (Block 2384, Lots 20, 25, 28, 32, 33, 34, 38, 48, 8900, 8901, ARO Lot 23, and portions of demapped Brook Avenue, Melrose Crescent and E. 162nd Street), in R8 and R8/C1-4 Districts, within the Melrose Commons Urban Renewal Area (ULURP No. C 150303 ZSX), Community District 3, Borough of the Bronx (the "Application");

WHEREAS, the Application is related to application C 150306 HAX (L.U. No. 268), an Urban Development Action Area Project designation, project approval and disposition of city-owned properties;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(3) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 74-681 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 14HPD030X) issued on October 9, 2014 (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 this report, C 150303 ZSX, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

1. The property that is the subject of this application (C 150303 ZSX) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Marvel Architects, PLLC, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-000.00	Zoning Analysis	01.09.15
Z-005.00	Site Plan	01.09.15
Z-006.00	Site Plan_Gr.Floor	01.09.15
Z-050.00	Neighborhood Character	01.09.15
Z-051.00	Neighborhood Character	01.09.15
Z-015.00	Sections	01.09.15
Z-016.00	Sections	01.09.15

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to construction, operation and maintenance.

4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.

5. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 268

Report of the Committee on Land Use in favor of approving Application No. C 150306 HAX submitted by NYC Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for the designation of property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent as an Urban Development Action Area and Project and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, Borough of the Bronx, Community Board 3, Council District 17.

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The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2982) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 03

C 150306 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 Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a twelve-story mixed-use building with approximately 277 units of affordable housing, 25,390 square feet of community facility space, and 26,700 square feet of ground-floor retail space.

INTENT

This Urban Development Action Area designation, disposition and project approval, in conjunction with the related special permit action, would facilitate the development of a twelve-story mixed-use building with approximately 277 dwelling units, community facility space, ground floor retail space, and vehicle and bike parking spaces in the Melrose neighborhood of the Bronx in Community District 3.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Dickens, Mealy, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

Reynoso, Torres, Treyger

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos,

Against: *None*

Abstain: *None*

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

Res. No. 834

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 150306 HAX, approving the designation of property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, Borough of the Bronx, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of city-owned properties located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd and Elton Avenue, a portion of East 162nd Street at

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Elton Avenue, and a portion of Melrose Crescent, to a developer selected by HPD (L.U. No. 268; C 150306 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 1, 2015 (the "Decision"), on the application submitted by the HPD pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd Street and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, as an Urban Development Action Area (the "Area");
- b) an Urban Development Action Area Project for the Area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd Street and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, to a developer to be selected by the New York City Department of Housing Preservation and Development to facilitate the development of a twelve-story mixed-use building with approximately 277 dwelling units, 26,700 square feet of retail use space, 25,390 square feet of community facility use space, 36 parking spaces and 139 bike parking spaces, in an R8/C1-4 District in Community District 3, Borough of the Bronx (ULURP No. C 150306 HAX) (the "Application");

WHEREAS, the Application is related to application C 150303 ZSX (L.U. No. 267), a Special Permit pursuant to Section 74-681 of the Zoning Resolution to allow development over a discontinued railroad right-of-way;

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 July 27, 2015 and submitted to the Council on July 28, 2015, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of a project summary for Melrose Commons North RFP Site B (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Request on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 14HPD030X) issued on October 9, 2014 (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 150306 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Request.

The Council finds that the present status of the 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 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, a copy of which is attached hereto and made a part hereof.

The Council approves the disposition of Elton Avenue between East 162nd Street and East 163rd Street (Block 2384, Lots 20, ARO 23, 25, 28, 32, 33, 34, 38, 48, 8900 and 8901), including the de-mapped street-beds of Brook Avenue between East 163rd

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Street and Elton Avenue, a portion of East 162nd Street at Elton Avenue, and a portion of Melrose Crescent, to a developer to be selected by HPD.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

Report for L.U. No. 269

Report of the Committee on Land Use in favor of approving Application No. N 150317 HAM submitted by NYC Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for the designation of property located at 269 Henry Street (Block 288, Lot 80) as an Urban Development Action Area and Project, Borough of Manhattan, Community Board 3, Council District 1.

The Committee on Land Use to which the annexed Land Use item was referred on July 23, 2015 (Minutes, page 2982) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 03

N 150317 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 269 Henry Street (Block 288, Lot 80), as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area:

to facilitate the rehabilitation of a former firehouse to be used as a community facility.

INTENT

This UDAAP designation and project approval of property would facilitate the rehabilitation of an existing four-story building, formerly use as a firehouse, to be used as a community facility to provide such services as crisis intervention, financial counseling, legal services, and access to benefits including free or low-cost health insurance, public assistance, food stamps and social security services.

PUBLIC HEARING

DATE: August 11, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: August 11, 2015

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

In Favor: Dickens, Mealy, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: August 12, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Arroyo, Dickens, Mendez, Koo, Lander, Levin, Williams, Wills, Richards, Cohen, Kallos, Reynoso, Torres, Treyger

Against: *None*

Abstain: *None*

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

Res. No. 835

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development and the decision of the City Planning Commission, ULURP No. N 150317 HAM, approving the designation of 269 Henry Street (Block 288, Lot 80), Borough of Manhattan, as an Urban Development Action Area, and approving the project for the area as an Urban Development Action Area Project (L.U. No. 269; N 150317 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on July 17, 2015 its decision dated July 15, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of property located at 269 Henry Street (Block 288, Lot 80), as an Urban Development Action Area (the "Area"); and
- b) an Urban Development Action Area Project for such area (the "Project");

to facilitate the rehabilitation of an existing four-story building for a new community facility operated by a non-profit organization to provide services as crisis intervention, financial counseling, legal services, and access to benefits including free or low-cost health insurance, public assistance, food stamps and social security services in Community District 3, Borough of Manhattan (N 150317 HAM) (the "Application");

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

WHEREAS, 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 July 27, 2015 and submitted to the Council on July 31, 2015, HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of a project summary for 269 Henry Street (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on August 11, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 14HPD004M) issued on March 2, 2015 (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 consideration described in the report (N 150317 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 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 Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

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

The Project shall be developed in a manner consistent with the Project Summary submitted by HPD on July 31, 2015, a copy of which is attached hereto and made a part hereof.

DAVID G. GREENFIELD, *Chairperson*; MARIA del CARMEN ARROYO, INEZ E. DICKENS, ROSIE MENDEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, JUMAANE D. WILLIAMS, RUBEN WILLS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, August 12, 2015.

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

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicant's Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Vasilia Aspras	3420 Tibbett Avenue Bronx, N.Y. 10463	11
Tajra Daniels	355 East 184th Street #530 Bronx, N.Y. 10458	15
Beverly Terry	825 Boynton Avenue #5C Bronx, N.Y. 10473	17
Martha V. Delghavi	148-04 85th Drive Queens, N.Y. 11435	24
Libia E. Gonzalez	65-61 Saunders Street #5Q Queens, N.Y. 11374	29
Chenelle Nicole Avellano	179 India Street #3R Brooklyn, N.Y. 11222	33
Sauna Wedderburn	9219 Seaview Avenue Brooklyn, N.Y. 11236	46
Hazel Cammarata	27 Tabb Place Staten Island, N.Y. 10302	49
Eileen Farrell	103 Buffalo Street Staten Island, N.Y. 10306	51

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Kylea Choice	1430 Amsterdam Avenue #10J New York, N.Y. 10027	7
Bradhangely Angeles	35 Nagle Avenue #4A	10

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Sharon Danner	New York, N.Y. 10040 150 West 225th Street #12A Bronx, N.Y. 10463	10
Yosmari A. Lotz	3671 Hudson Manor Terrace #16J Bronx, N.Y. 10463	11
Madeleine L. Walton	550 Cauldwell Avenue Bronx, N.Y. 10455	17
George Mihaltses	220-31 43rd Avenue Bayside, N.Y. 11361	19
Kelly Molloy	2704 Parsons Blvd Flushing, N.Y. 11354	20
Leila M. Mottley	97-15 Horace Harding Expressway #40 Corona, N.Y. 11368	21
Athenia A. Parks	188-24 Williamson Avenue Queens, N.Y. 11413	27
Caroline Hernandez	162-11 86th Street Howard Beach, N.Y. 11414	32
Matthew Perna	180 Maspeth Avenue #2F Brooklyn, N.Y. 11211	34
Beverly Black	339 Macon Street Brooklyn, N.Y. 11216	36
Dilsia Aybar	117 Chestnut Street #2 Brooklyn, N.Y. 11208	37
Charles Garcia	65 Hendrix Street Brooklyn, N.Y. 1120	37
Marie D. Pearson	89 Christopher Avenue #8D Brooklyn, N.Y. 11212	37
Linda Rhodes	92 East 46th Street Brooklyn, N.Y. 11203	41
Ilene P. Sacco	290 Dahlgren Place Brooklyn, N.Y. 11228	43
Hughes J. William	1310 East 37th Street Brooklyn, N.Y. 11210	45
Rupert Chase	1203 East 92nd Street Brooklyn, N.Y. 11236	46
Ellen Kogan	2601 Emmons Avenue #1A Brooklyn, N.Y. 11235	48
Sharon K. Mortenson	48 Westervelt Avenue Staten Island, N.Y. 10301	49
Suse A.M. Eppel	63 Father Capodanno Blvd Staten Island, N.Y. 10305	50

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Abdalla L. Soliman	37 Hunton Street Staten Island, N.Y. 10304	50
Maria Bellmier	112 Ridgewood Avenue Staten Island, N.Y. 10312	51
Marietta M. Cirillo	496 Alverson Avenue Staten Island, N.Y. 10309	51
Lucia Cordova-Martinez	245 Colon Avenue Staten Island, N.Y. 10308	51
Lori Jakubowski	101 Brookfield Avenue Staten Island, N.Y. 10308	51

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

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

- | | | |
|-----|---------------------------------|---|
| (1) | Int 145-A - | Fire sprinklers that provide services for animals. |
| (2) | Int 287-A - | Price displays posted by gas stations. |
| (3) | Int 586-A - | Signs, posters or placards that advertise gas prices. |
| (4) | Int 682-A - | Offers to induce a person to vacate a dwelling unit. |
| (5) | Int 700-A - | Required disclosures by persons making buyout offers. |
| (6) | Int 757-A - | Definition of harassment pertaining to buyout offers. |
| (7) | Int 866 - | Regulation of cooling towers (with Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage). |
| (8) | Res 817 - | New and changed designations of certain organizations to receive funding (Transparency Resolution). |
| (9) | L.U. 257 & Res 823 - | App. 20155525 TCM, 411 Restaurant Corp. d/b/a Tonic, sidewalk café, Manhattan, Community Board 6, Council District 2. |

- (10) **L.U. 258 & Res 824 -** App. **20155693 TCM**, Third Avenue Café, LLC d/b/a Banc Café, sidewalk café, Manhattan, Community Board 6, Council District 2.
- (11) **L.U. 259 & Res 825 -** App. **20155689 TCM**, Jonilu, LLC d/b/a La Villetta, sidewalk café, Manhattan, Community Board 6, Council District 4.
- (12) **L.U. 260 & Res 826 -** App. **N 150287 ZRX**, Zoning Resolution, Bronx, Community Board 1, Council District 8.
- (13) **L.U. 261 & Res 827 -** App. **C 150288 ZMX**, Zoning Map, Bronx, Community Board 1, Council District 8.
- (14) **L.U. 262 & Res 828 -** App. **C 150289 ZSX**, Zoning Resolution, Bronx, Community Board 1, Council District 8.
- (15) **L.U. 263 & Res 829 -** App. **C 150344 ZSX**, Zoning Resolution, Bronx, Community Board 1, Council District 8.
- (16) **L.U. 264 & Res 830 -** App. **C 150203 MMM**, City Map, Manhattan, Community Board 2, Council District 3.
- (17) **L.U. 265 & Res 831 -** App. **N 150267 ZRM**, Zoning Resolution, Manhattan, Community Board 2, Council District 3.
- (18) **L.U. 266 & Res 832 -** App. **N 150141 ZRQ**, Zoning Resolution, Queens, Community Boards 1 and 2, Council District 26.
- (19) **L.U. 267 & Res 833 -** App. **C 150303 ZSX**, Zoning Resolution, Bronx, Community Board 3, Council District 17.
- (20) **L.U. 268 & Res 834 -** App. **C 150306 HAX**, Urban Development Action Area and Project, Bronx, Community Board 3, Council District 17.
- (21) **L.U. 269 & Res 835 -** App. **N 150317 HAM**, Urban Development Action Area and Project, Manhattan, Community Board 3, Council District 1.
- (22) **L.U. 270 & Res 819 -** App. **20155364 SCR**, Curtis High School, Staten Island, Community School District No. 31, Community Board 1, Council District 49.
- (23) **L.U. 271 & Res 820 -** App. **20155589 SCQ**, Primary

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School facility, Queens, Community School District No. 30, Community Board 3, Council District 25.

(24) **L.U. 272 & Res 821 -**

App. **20155388 SCK**, Pre-Kindergarten School facility, Brooklyn, Community School District No. 20, Community Board 10, Council District 43.

(25) **L.U. 273 & Res 822 -**

App. **20155170 SCQ**, Primary School facility, Queens, Community School District No. 27, Community Board 10, Council District 32.

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

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

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

The General Order vote recorded for this Stated Meeting was 42-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 145-A**:

Affirmative – Arroyo, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Garodnick, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Menchaca, Mendez, Miller, Reynoso, Richards, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Wills, Matteo, and the Speaker (Council Member Mark-Viverito) – **41**.

Negative – Williams – **1**.

The following was the vote recorded for **Int Nos. 682-A, 700-A, and 757-A**:

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

Negative – Matteo – **1**.

The following was the vote recorded for **LU No. 270 & Res No. 819**:

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

Negative – Mendez – **1**.

The following Introductions were sent to the Mayor for his consideration and approval: Int. Nos. 145-A, 287-A, 586-A, 682-A, 700-A, 757-A, and Preconsidered Int No. 866 (passed under a Message of Necessity).

INTRODUCTION AND READING OF BILLS

Preconsidered Int. No. 866

By The Speaker (Council Member Mark-Viverito) and Council Members Gibson, Johnson, Williams, Arroyo, Barron, Constantinides, Eugene, Kallos, Koo, Koslowitz, Mealy and Wills (in conjunction with the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to regulation of cooling towers.

Be it enacted by the Council as follows:

August 13, 2015

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Section 1. Chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new article 317 to read as follows:

*ARTICLE 317
COOLING TOWERS*

§ 28-317.1 General. All owners of cooling towers shall comply with this article and the rules of the department.

§ 28-317.2 Definitions. As used in this article, the following terms shall have the following meanings:

COOLING TOWER. The term "cooling tower" means a cooling tower, evaporative condenser or fluid cooler that is part of a recirculated water system incorporated into a building's cooling, industrial process, refrigeration, or energy production system.

§ 28-317.3 Registration. All owners of cooling towers shall register such towers with the department prior to initial operation in a form and manner as required by the commissioner and shall include, at a minimum, the following information:

- 1. Address of the building at which the cooling tower is located;*
- 2. Intended use of cooling tower;*
- 3. Name, address, telephone number and email address of owner;*
- 4. Manufacturer of the cooling tower;*
- 5. Model number of the cooling tower;*
- 6. Specific unit serial number of the cooling tower;*
- 7. Cooling capacity (tonnage) of the cooling tower;*
- 8. Basin capacity of the cooling tower; and*
- 9. Commissioning date of the cooling tower.*

Exception: Owners of existing cooling towers shall register such towers within 30 days after the effective date of this section.

§ 28-317.3.1 Discontinued use. *The owner or operator of a cooling tower shall notify the department within 30 days after removing or permanently discontinuing use of a cooling tower. Such notice shall include a statement that such cooling tower has been drained and sanitized in compliance with the requirements of the department of health and mental hygiene for discontinuance of a cooling tower.*

§ 28-317.4 Inspecting, cleaning, disinfecting and testing. *All cooling towers shall be inspected, tested, cleaned and disinfected in accordance with section 17-194.1 of the administrative code and the rules of the department of health and mental hygiene.*

§ 28-317.5 Annual certification. *The owner or operator of a cooling tower shall file a certification each year that such cooling tower was inspected, tested, cleaned and disinfected in compliance with section 17-194.1 of the administrative code and the rules of the department of health and mental hygiene, and that a maintenance program and plan has been developed and implemented as required by such section. Such certification shall be submitted by November 1, 2016 and by November 1 of each year thereafter, or as otherwise specified in the rules of the department.*

§ 28-317.6 Fees. *The department may charge filing fees for registration, discontinuing of use and annual certification as set forth in the rules of the department.*

§ 28-317.7 Enforcement. *Failure to register a cooling tower or submit a certification or statement required by this article shall be classified as a major violation.*

§ 2. The administrative code of the city of New York is amended by adding a new section 17-194.1 to read as follows:

§ 17-194.1 a. *Definitions.* *For the purposes of this section, the following terms have the following meanings:*

Building. *The term “building” has the same meaning as in section 28-101.5 of this code.*

Cooling tower. *The term “cooling tower” has the same meaning as in section 28-317.2 of this code.*

Owner. *The term “owner” has the same meaning as in section 28-101.5 of this code.*

b. *Registration.* *An owner of a building that has a cooling tower shall register the cooling tower with the department of buildings in accordance with article 317 of chapter 3 of title 28 of this code.*

c. *Maintenance program and plan.* *An owner of a building that has a cooling tower shall develop and implement a maintenance program and plan for such*

cooling tower that is in accordance with sections 5, 6, and 7.2 of the American society of heating, refrigeration and air-conditioning engineers standard 188 for the year 2015 (ASHRAE 188-2015) and with the manufacturer's instructions. Such program and plan shall be developed by a qualified person.

d. *Cleaning and disinfection after extended shut-down.* At a minimum, an owner shall clean and disinfect cooling towers that are shut-down for more than five days. Cleaning and disinfection shall occur within 15 days before the use of such tower.

e. *Minimum requirements for inspections and testing.* At a minimum, cooling towers, other than cooling towers whose use has been permanently discontinued and for which a notice of such discontinuation has been sent to the department of buildings, shall be inspected and tested at least as frequently as every three months during periods of the year such cooling towers are in use.

1. Each inspection shall include an evaluation of the cooling tower and associated equipment for the presence of organic material, biofilm, algae and other visible contaminants.

2. Each inspection shall include a test for the presence of microbes in the water of the cooling tower. The department shall by rule establish (i) the targets and acceptable methods of microbial testing and laboratory analysis, (ii) the levels of microbes in cooling towers that are indicative of a maintenance deficiency requiring mitigation, including but not limited to maintenance to prevent potential health risks, and (iii) the levels of microbes in cooling towers that present a serious health threat and require immediate action and reporting.

(a) Where the results of any such test indicate levels of microbes that are indicative of a maintenance deficiency requiring mitigation, including but not limited to maintenance to prevent potential health risks, the owner of the building that has such cooling tower shall, within 48 hours after such owner knows or reasonably should know of such results, clean and disinfect the cooling tower in accordance with the rules of the department.

(b) Where the results of any such test indicate levels of microbes that present a serious health threat, the owner of the building that has such cooling tower shall, within 24 hours after such owner knows or reasonably should know of such results, (i) notify the department and (ii) clean and disinfect the cooling tower, including an additional application of biocide, in accordance with the rules of the department.

f. *Inspections, cleaning and disinfection.* All inspections, cleaning and disinfection required by this section shall be performed by or under the supervision of a qualified person.

g. *Abatement.* Where an owner does not clean and disinfect a cooling tower within the time and manner set forth in subdivision e, the department may serve an order on the owner requiring compliance within a specified time. If such order is not complied with the department may authorize any agency of the city to act as agent of the department in executing such order and may recover the costs of such execution from the owner in accordance with any of the methods set forth in sections 17-149 through 17-158.

h. *Recordkeeping.* An owner shall keep and maintain records of all inspections and tests performed pursuant to this section for at least three years. An owner shall maintain a copy of the maintenance program and plan required by subdivision c of

this section on the premises where a cooling tower is located. Such records and plan shall be made available to the department immediately upon request.

i. Enforcement. 1. An officer, employee or agent of the department may enter onto any property to inspect the cooling tower, and review and obtain a copy of any records or plan required to be kept under subdivision h of this section, for compliance with the requirements of this section or any of the rules promulgated thereunder, in accordance with applicable law.

2. (i) Any owner of a building who violates any provision of this section or any of the rules promulgated thereunder shall be liable for a civil penalty of not more than \$2,000 for a first violation, and not more than \$5,000 for a second or subsequent violation, except that such owner shall be liable for a penalty of not more than \$10,000 for any violation that is accompanied by or results in a fatality or serious injury.

(ii) In addition to any civil penalties under this subdivision, a violation of an order pursuant to subdivision g of this section shall be a misdemeanor punishable by a fine of not more than \$25,000 or imprisonment for not more than one year, or both.

(iii) A notice of violation served for civil penalties pursuant to this section shall be returnable at the environmental control board or any tribunal established within the office of administrative trials and hearings.

j. Electronic reporting. The department may require any submission required by this section be submitted electronically.

§ 3. a. The commissioner of the department of health and mental hygiene, in consultation with the department of buildings, shall submit a report to the mayor and the speaker of the city council on or before May 15 each year until May 15, 2025 reporting on the following information for the prior year:

(i) The number of new cooling tower registrations and the number of notifications of discontinued use of a cooling tower pursuant to section 28-317.3 of the administrative code received by the department of buildings through November 1 of the prior year;

(ii) The number of annual certifications that a cooling tower was inspected, tested, cleaned and disinfected pursuant to section 28-317.5 of the administrative code received by the department of buildings through November 1 of the prior year;

(iii) The number of reports of tests for the presence of microbes that reveal levels that present a serious health threat received by the department of health and mental hygiene pursuant to paragraph 2 of subdivision e of section 17-194.1 of the administrative code;

(iv) The number of inspections of cooling towers conducted pursuant to subdivision h of section 17-194.1 of the administrative code and the rules of the department of health and mental hygiene, along with the number and types of any violations cited during such inspections;

(v) The number of cleanings, disinfections or other actions performed by or behalf of the department pursuant to subdivision f of section 17-194.1 of the administrative code; and

(vi) The number of persons diagnosed with legionnaires' disease in the city in each of the previous 10 years, to the extent known or reasonably discoverable by the department of health and mental hygiene.

b. On or before March 1, 2016, the commissioner of the department of health and mental hygiene shall submit a report to the mayor and the speaker of the city council that includes an assessment and recommendations on whether this local law should be amended to include requirements for any of the building water systems described in the American society of heating, refrigeration and air-conditioning engineers standard 188 for the year 2015 (ASHRAE 188-2015) in addition to cooling towers.

c. On or before March 1, 2017, the commissioner of the department of health and mental hygiene shall submit a report to the mayor and the speaker of the city council detailing the implementation of this local law, the effectiveness of the requirements of this local law in preventing outbreaks of legionnaire's disease, and recommendations for improvements or modifications to this local law and any rules promulgated thereunder to further the control of legionella bacteria.

§ 4. This local law takes effect immediately, except that subdivision c of section 17-194.1 of the administrative code as added by section two of this local law shall take effect on March 1, 2016; and that section 28-317.4 of the administrative code, as added by section one of this local law, and subdivisions e, f, g, h and i of section 17-194.1 of the administrative code, as added by section two of this local law, shall take effect upon the promulgation of rules by the department of health and mental hygiene.

Adopted by the Council – Passed under a Message of Necessity from the Mayor (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 867

By Council Members Cornegy, Mendez, Arroyo, Constantinides, Dickens, Dromm, Eugene, Koo, Rose and Chin (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring written communications regarding the results of inspections from the Departments of Consumer Affairs and Health and Mental Hygiene to be in the receiving business owner's language of choice

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision f of section 15 of the New York city charter is amended to read as follows:

3. To the extent practicable, the office of operations shall develop and implement a plan for each business owner to indicate the language in which such owner would prefer that agency inspections of the business be conducted, *and in which such owner would prefer that mailed agency communications relating to the*

results of such inspections be written. To the extent practicable, the office of operations shall also develop and implement a plan to inform all relevant agencies of such respective language preference.

§ 2. Subdivision b of section 561 of the New York city charter is amended to read as follows:

b. Every application for a permit or a renewal of an existing permit issued by the commissioner pursuant to this section shall provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such permit be conducted, or alternatively for which language interpretation services be provided, *and an opportunity for the applicant to indicate the language in which such applicant would prefer that mailed communications relating to the results of such inspection be written.* Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 3. Section 17-301 of the administrative code of the city of New York is amended to read as follows:

§ 17-301. Language preference for inspections. Every application for a license or a permit, or the renewal of an existing license or an existing permit to be issued by the commissioner pursuant to this chapter shall provide an opportunity for the applicant to indicate the language in which such applicant would prefer that inspections in connection with such license or permit be conducted, or alternatively for which language interpretation services be provided, *and an opportunity for the applicant to indicate the language in which such applicant would prefer that mailed communications relating to the results of such inspection be written.* Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 4. Subdivision b of section 20-107 of the administrative code of the city of New York is amended to read as follows:

b. Every application for a license or the renewal of an existing license shall provide an opportunity for the applicant to indicate the language in which he or she would prefer that inspections in connection with such license be conducted, *and in which such applicant would prefer that mailed agency communications relating to the results of such inspections be written.* Nothing in this subdivision nor any failure to comply with such preference shall be construed so as to create a cause of action or constitute a defense in any legal, administrative, or other proceeding.

§ 5. Subdivision b of section 20-275 of the administrative code of the city of New York is amended to read as follows:

b. Any person who violates any of the provisions of this subchapter or any rule or regulation issued thereunder shall be subject to a civil penalty of not more than five hundred dollars for each violation; except that a person shall not be subject to such civil penalty for a first-time violation of section 20-270 or 20-271 of this subchapter or any rule or regulation issued thereunder, if such person proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the

violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of section 20-270 or section 20-271 of this subchapter or any rule or regulation issued thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter or subdivision b of section 20-107 of the code.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 6. Section 20-332 of the administrative code of the city of New York is amended to read as follows:

§ 20-332. Violation. Any person who violates any of the provisions of this subchapter or any rule or regulation issued thereunder shall be subject to a civil penalty of not more than five hundred dollars for each violation; except that a person shall not be subject to such civil penalty for a first-time violation of subdivision b of section 20-324 of this subchapter and any rule or regulation issued thereunder, if such person proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of subdivision b of section 20-324 of this subchapter or any rule or regulation issued thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter or subdivision b of section 20-107 of the code.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 7. Subdivision d of section 20-240.1 of the administrative code of the city of New York is amended to read as follows:

d. Any person who violates the provisions of this section or section 20-237 shall be considered to be an unlicensed general vendor or an unlicensed food vendor and shall be subject to the penalty and enforcement provisions of either subchapter twenty-five of chapter two of this title or subchapter two of chapter three of title seventeen of the code, whichever is applicable; except that a person shall not be subject to the civil penalty described above for a first-time violation of subdivision b of section 20-237 and any rule or regulation issued thereunder, if such person proves to the satisfaction of the department within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that he

or she has cured the violation. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof of compliance shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of subdivision b of section 20-327 or any rule or regulation promulgated thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter or subdivision b of section 20-107 of the code.* The department shall permit such proof to be submitted to the department electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 8. Section 20-728 of the administrative code of the city of New York is amended to read as follows:

§ 20-728. Penalties. Violation of this subchapter or any rule or regulation promulgated thereunder, shall be punishable by payment of a civil penalty in the sum of not less than twenty-five nor more than one hundred dollars for each violation; except that a person shall not be subject to the civil penalty described above for a first-time violation of any provision of this subchapter or any rule or regulation promulgated thereunder, if such person proves to the satisfaction of the department within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that he or she has cured the violation. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of any provision of this subchapter or any rule or regulation promulgated thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 9. Section 20-743 of the administrative code of the city of New York, as added by local law number 31 for the year 2003, is amended to read as follows:

§ 20-743. Penalties. Any person, partnership, corporation or other business entity who violates any provision of this subchapter or any of the regulations promulgated hereunder shall be liable for a civil penalty or not less than two hundred fifty dollars nor more than five hundred dollars for the first violation and for each succeeding violation a civil penalty of not less than five hundred dollars nor more than seven hundred fifty dollars; except that a person, partnership, corporation or other business entity shall not be subject to the civil penalty described above for a first-time violation of subdivision (a) of section 20-740 of this subchapter or any rule or regulation promulgated thereunder, if such person, partnership, corporation or other

business entity proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person, partnership, corporation or other business entity who has received, for the first time, a notice of violation of subdivision (a) of section 20-740 of this subchapter or any rule or regulation issued thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter.* The department shall permit such proof to be submitted electronically or in person. A person, partnership, corporation or other business entity may seek review, in the department's administrative tribunal, of the determination that the person or entity has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 10. Section 20-748 of the administrative code of the city of New York is amended to read as follows:

§ 20-748. Penalties. Violation of this subchapter, or any regulation promulgated pursuant to it, shall be punishable by payment of a civil penalty not to exceed two hundred fifty dollars; except that a person shall not be subject to a civil penalty described above for a first-time violation of section 20-746 of this subchapter or any rule or regulation promulgated thereunder, if such person proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of section 20-746 of this subchapter or any rule or regulation promulgated thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 11. Section 20-753 of the administrative code of the city of New York is amended to read as follows:

§ 20-753. Penalties. Any person who shall violate the provisions of this subchapter or the regulations promulgated pursuant to this subchapter shall, upon conviction thereof, pay a civil penalty or not less than fifty dollars and not more than two hundred and fifty dollars for the first offense and for each succeeding offense a penalty of not less than one hundred dollars nor more than five hundred dollars for each such violation; except that a person shall not be subject to the civil penalty described above for a first-time violation of subdivision c of section 20-750 of this

subchapter or any rule or regulation promulgated thereunder, if such person proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of subdivision c of section 20-750 of this subchapter or any rule or regulation issued thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination. For the purposes of this section, if on any single day the current selling price list is not displayed in accordance with this subchapter or the regulations promulgated pursuant to this subchapter, it shall be considered a single violation.

§ 12. Section 20-810 of the administrative code of the city of New York is amended to read as follows:

§ 20-810. Violations. A person violating sections 20-808 or 20-809 of this subchapter shall be subject to a civil penalty of not less than two hundred fifty dollars nor more than five hundred dollars for the first violation; except that a person shall not be subject to the civil penalty described above for a first-time violation of section 20-809 of this subchapter or any rule or regulation promulgated thereunder, if such person proves to the satisfaction of the department, within thirty days of the issuance of the notice of violation and prior to the commencement of an adjudication of the violation, that the violation has been cured. The submission of proof of a cure shall be deemed an admission of liability for all purposes. The option of presenting proof that the violation has been cured shall be offered as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of section 20-809 of this subchapter or any rule or regulation promulgated thereunder. *Such option shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of such inspections be written pursuant to paragraph 3 of subdivision f of section 15 of the charter.* The department shall permit such proof to be submitted electronically or in person. A person may seek review, in the department's administrative tribunal, of the determination that the person has not submitted proof of a cure within fifteen days of receiving written notification of such determination.

§ 13. By May 30, 2016, the department of consumer affairs shall promulgate rules to the effect that the option of presenting proof that the violation has been cured as part of any settlement offer made by the department to a person who has received, for the first time, a notice of violation of any signage mandate described in this section shall be written in English and in any other language that such person has indicated that they would prefer that mailed agency communications relating to the results of inspections be written pursuant to paragraph 3 of subdivision f of section

15 of the charter or subdivision b of section 20-107 of the code. This section shall apply to the following signage mandates:

- 1) requiring the posting of refund policies;
- 2) requiring the posting of a sign stating that individuals may complain to the department of consumer affairs about a business licensed by such department;
- 3) prohibiting signs stating that a business is not liable for such business's negligence if such a statement is invalid under law;
- 4) requiring that parking lots and garages post a sign stating:
 - a) the business hours of such lot or garage;
 - b) the licensed capacity of such lot or garage;
 - c) such lot or garage is at full capacity for car or bicycle parking; and
 - d) minimum number of bicycle parking spaces;
- 5) requiring that parking lots and garages have separate entrances and exits, with the main entrance and exit clearly designated with illuminated signs marked "entrance" and "exit";
- 6) requiring that all required signage is illuminated, clearly visible, and readable;
- 7) requiring that those lots and garages with waivers under section 20-327.1 of the administrative code post a sign with respect to bike parking;
- 8) requiring that auxiliary signs of parking lots and garages contain equally sized letters and numbers;
- 9) requiring that businesses that accept credit cards post a list of limitations that such business put on credit card usage at or near the entrance of each such business, and in all advertising indicating that credit cards are accepted;
- 10) requiring that electronic or home appliance service dealers include a notice in the department or area where electronic and home appliances are accepted for repair stating that customers are entitled to written estimates for repairs and other customer rights, and that the regulations of the department of consumer affairs relating to television, radio and audio servicing are available for review from the service dealer upon request;
- 11) requiring a tax preparer to display a sign:
 - a) identifying him or herself, including his or her address, telephone number, and qualifications;
 - b) stating that both the preparer and taxpayer must sign every tax return;
 - c) stating how his or her fees are calculated;
 - d) stating that he or she or his or her agency will not represent the taxpayer in an audit, if true; and
 - e) stating that he or she is not licensed by the state board of public accounting or the New York state bar, or both, if true;
- 12) requiring dealers of products for the disabled to post a sign summarizing any provisions of the New York city products for the disabled law;
- 13) requiring any bus to include a posted sign on the windshield and near the entrance door of such bus that designates the departure time and destination of such bus;

14) requiring laundries:

a) to distinguish in their advertising between services being offered at different prices;

b) to post an out-of-order sign on non-functioning machines on such laundry's premises;

c) to post a notice that complaints and claims for refunds may be made to a certain person or persons; and

d) to post any sign in both english and spanish, if applicable;

15) requiring sidewalk cafes to post a sign stating the maximum number of tables and chairs licensed for such sidewalk café, and prohibiting other signage at a sidewalk café except for signage meeting certain specifications;

16) requiring motor vehicle rental businesses to post a notice of the department of consumer protection's consumer protection law;

17) requiring any labeling declaration to be written in the english language;

18) requiring that amusement arcades and gaming cafes post a sign describing age restrictions during certain hours of operation; and

19) requiring signage at businesses that sell beverages for off-premises consumption in beverage containers that are covered by title ten or article twenty-seven of the environmental conservation law of the state of New York to be placed within a certain distance of cash registers or to be visible to consumers from any specific vantage point; and

20) requiring stores with weighing and measuring devices for customer use to post a sign informing customers that they may reweigh products using such weighing or measuring device or devices.

§ 14. This local law takes effect 120 days after it becomes law, provided, however, that the department of consumer affairs shall take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law.

Referred to the Committee on Governmental Operations.

Int. No. 868

By Council Members Cumbo, Levine, Gibson, Mendez, Eugene, Koo, Koslowitz and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to creating an emergency mobile text system.

Be it enacted by the Council as follows:

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

August 13, 2015

3162

CHAPTER 8
911 EMERGENCY ASSISTANCE SYSTEM
§ 23-801 Definitions.
§ 23-802 Next Generation 911.

§ 23-801 Definitions. As used in this chapter, the following terms have the following meanings:

Department. The term “department” means the department of information technology and telecommunications or any successor agency.

Next Generation 911. The term “next generation 911” means an internet protocol based system that allows digital information, including voice, photos, videos, text messages, to be transmitted from the public to emergency responders in accordance with the national 911 program.

§ 23-802 Next Generation 911. a. Within six months of the effective date of the local law that added this chapter, the department shall establish a plan to upgrade the 911 emergency assistance system to next generation 911 according to the specifications of the national 911 program.

b. Within 12 months of establishing the plan pursuant to subdivision a of this section, the department shall either: (i) implement that plan and issue a report to the council indicating the details of the plan and the status of the implementation of such plan including the expected date of completion; or (ii) issue a report to the council indicating the details of the plan and the expected date of implementation.

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

Referred to the Committee on Technology.

Int. No. 869

By Council Members Cumbo, Mealy, Richards, Rose, Cabrera, Espinal and Johnson.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on sex offenses.

Be it enacted by the Council as follows:

Section 1. Paragraph 4 of subdivision a of section 14-150 of the administrative code of the city of New York, as amended by local law number 2 for the year 2014, is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control

board notice of violation, or criminal court summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. *Such report shall also include the total number of all sex offenses as defined in article 130 of the penal law, in total and disaggregated by the following categories as defined in the New York state penal law: rape as defined in sections 130.25, 130.30, and 130.35; criminal sexual act as defined in sections 130.40, 130.45, and 130.50; misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60; sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70; course of sexual conduct against a child as defined in sections 130.75 and 130.80, predatory sexual assault as defined in sections 130.95 and 130.80; or any other such offense.* Such report shall also include the total number of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;
4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;
5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and
6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such reports to the council.

§2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 870

By Council Members Dickens, Mendez, Arroyo, Eugene, Koo, Koslowitz, Mealy, Richards, Rose and Chin.

August 13, 2015

3164

A Local Law in relation to the creation of a temporary task force to evaluate the epidemic of diabetes in the city of New York and recommend a comprehensive, citywide strategy to reduce the epidemic of diabetes

Be it enacted by the Council as follows:

Section 1. Diabetes Task Force. a. There shall be a Diabetes Task Force. The Diabetes Task Force shall be comprised of seven members, three of whom shall be appointed by the Speaker of the Council and four of whom shall be appointed by the Mayor; provided, however, that one of the appointments by the Mayor shall be the Commissioner of the Department of Health and Mental Hygiene, or his or her designee, who shall serve as the chairperson of such Task Force. The Diabetes Task Force shall commence its work when fully constituted. The Diabetes Task Force shall meet at least four times annually.

b. Each member of the Diabetes Task Force shall serve at the pleasure of the appointing authority, without compensation, except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city charges. Any member may be removed at any time by the appointing authority and any vacancy shall be filled in the same manner as the original appointment; provided, however, that the requirements of this subdivision shall not apply to the Commissioner of the Department of Health and Mental Hygiene.

c. The Diabetes Task Force shall issue a report to the Mayor and Council no later than two years after the enactment of this local law. Such report shall summarize the findings of the Task Force, and shall recommend a comprehensive, citywide strategy to reduce the incidence of diabetes, which shall include, but not be limited to, recommendations related to improving nutrition, increasing access to affordable exercise programs, reducing diabetes-related health care disparities, and increasing public awareness about diabetes prevention.

§ 2. This local law takes effect immediately; provided that this local law shall expire and be deemed repealed upon the issuance of the Taskforce's report to the Mayor and Council pursuant to subdivision c of section one of this local law.

Referred to the Committee on Health.

Int. No. 871

By Council Members Dromm, Johnson, Mendez, Arroyo, Constantinides, Richards, Rose and Chin.

A Local Law to amend the New York city plumbing code, New York city building code and administrative code of the city of New York, in relation to gender-neutral single-occupant bathrooms.

Be it enacted by the Council as follows:

Section 1. Section 403.2 of the New York city plumbing code, as added by local

law number 41 for the year 2012, is amended to read as follows:

§ 403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for dwelling units and sleeping units.

2. In structures or tenant spaces where combined employee and public toilet facilities are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees, customers, patrons and visitors is 30 or fewer.

3. In structures or tenant spaces where required toilet facilities for only employee use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of employees is 30 or fewer.

4. In structures or tenant spaces where required toilet facilities for only public use are provided in accordance with Section 403.3, separate facilities shall not be required where the total number of customers, patrons and visitors is 30 or fewer.

5. *Single-occupant toilet rooms.*

§ 403.2.1 Single-occupant toilet rooms. *All single-occupant toilet rooms shall be usable by persons of any sex.*

Exception: *A single-occupant toilet room for which access is possible only through a room permissibly restricted by sex.*

§ 2. Section 403.4 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to read as follows:

§ 403.4 Signage. Required public facilities shall be designated by a legible sign for each sex *or for all sexes*. Signs shall be readily visible and located near the entrance to each toilet facility.

§ 3. Note j of table 403.1 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to read as follows:

j. The requirements for the number of water closets for a total occupancy of 150 persons or fewer shall not apply to bars except that there shall be at least one water closet for men and at least one water closet for women, *subject to the requirements of section 403.2.1*, or at least two [unisex] *family or assisted-use* toilet rooms.

§ 4. Section 403.1 of the New York city plumbing code, as added by local law number 41 for the year 2012, is amended to add a new section 403.1.3 to read as

follows:

§ 403.1.3 *Single-occupant toilet fixtures.* *Fixtures located within single-occupant toilet rooms, subject to the exception of section 403.2.1, are permitted to be included in the number of fixtures required by Section 403 for either the male or the female occupants.*

§ 5. Item 4 of section 1110.2 of the New York city building code, as amended by local law number 141 for the year 2013, is amended to read as follows:

4. At each separate-sex toilet and bathing room *and inaccessible single-occupant toilet room* indicating the location of the nearest accessible family or assisted-use toilet or bathing room where provided in accordance with Section 1109.2.1.

§ 6. Article 315 of title 28 of the administrative code of the city of New York is amended to add new section 28-315.6.3 to read as follows:

§ 28-315.6.3 *Single-occupant toilet rooms.* *Single-occupant toilet rooms shall be usable by persons of any sex in accordance with section 403.2.1 of the New York city plumbing code by no later than January 1, 2016.*

§ 7. This local law takes effect 120 days after it becomes law, except that the commissioner of buildings, commissioner of health and mental hygiene and commissioner of consumer affairs shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Res. No. 816

Resolution calling upon United States Food and Drug Administration to remove any blood donation restrictions based on sexual orientation.

By Council Members Dromm, Johnson, Mendez, Arroyo, Constantinides, Richards, Rose and Chin.

Whereas, The United States Food and Drug Administration (FDA) currently does not permit the donation of blood by men who have had sex with other men (MSM) at any time since 1977; and

Whereas, The ban on MSM donating blood was enacted in 1983, when there was very little information on HIV/AIDS and even less information on care and treatment; and

Whereas, There have been significant advancements in science, technology and medical developments relating to HIV and AIDS over the last thirty years; and

Whereas, Several advanced testing methods for HIV can detect the presence of HIV in a donor's blood sample in approximately 7-10 days after infection; and

Whereas, Numerous public health groups including the American Red Cross, the American Association of Blood Banks, America's Blood Centers, the American Medical Association (AMA) and leading LGBT and HIV/AIDS organizations have urged that the FDA's lifetime restriction be revised; and

Whereas, The AMA has called for individual testing assessments instead of a blanket policy based on sexual orientation and has condemned the lifetime ban as "discriminatory"; and

Whereas, The New York Blood Center (NYBC) has alerted the public of blood shortages in New York and the Mayor of New York City Bill de Blasio issued a statement in January urging 'healthy New Yorkers' to donate; and

Whereas, The FDA, in December 2014, announced the agency would begin the process of shifting from a complete ban on MSM to donate blood to a one-year deferral period since last male-to-male sexual contact; and

Whereas, The new deferral period essentially requires gay and bisexual men to remain celibate for a minimum of one year in order to donate blood, which in practicality prevents about half the blood donor population of sexually active gay men from donating; and

Whereas, The proposed new FDA guidelines also address gender for the first time, stating that gender will be "self-identified and self-reported" but also notes that, "In instances where a donor has asserted a change in gender identification, medical directors may exercise discretion with regard to donor eligibility"; and

Whereas, Transgender advocates have found that in practice the current lack of policy has led all transgender individuals to be treated as MSM and, therefore, banned from donating and the proposed policy change does not provide clarification for potential transgender donors; and

Whereas, While the majority of men's health groups hailed the proposed amendments in the new revised policy, they assert that these changes do not align with the latest developments in science; and

Whereas, GMHC, a New York City provider of HIV/AIDS prevention, care and advocacy alleges that the policy is based not on the actual risk assessments, but on other factors such as stigma, gender identity and sexual orientation; and

Whereas, A recent article released in the Journal of the American Medical Association states that a twelve month deferral is "equally arbitrary" to a lifetime ban and that sexual orientation should not be a disqualifier, but a component of an individualized risk assessment; and

Whereas, The FDA does not provide sufficient reasoning and data for how a one-year deferral period for MSM has been decided; and

Whereas, HIV testing methods such as nucleic testing and antibody testing are already in use to test every single blood sample before transfusion in the United States; and

Whereas, According to the Williams Institute at the University of California, Los Angeles, with a one year deferral period, an estimated 185,800 additional men are likely to donate, and this number would almost double to 360,600 in case of a complete lifting of the ban; and

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Whereas, The Williams Institute estimates that lifting the ban on MSM donors could help save the lives of more than a million people; and

Whereas, Countries like Chile, Mexico, Italy, Portugal, Russia, Spain, Uruguay and South Africa all have no deferral periods based on sexual orientation, though their potential donors could be screened for high-risk sexual practices; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Food and Drug Administration to remove any blood donation restrictions based on sexual orientation.

Referred to the Committee on Health.

Preconsidered Res. No. 817

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

By Council Members Ferreras-Copeland and Koo.

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

Whereas, On June 26, 2014 the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”); and

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014, Fiscal 2015, and Fiscal 2016 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, and youth discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in

accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Borowide needs Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HPD Home Loan Program Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Community Consultant Contracts Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Unaccompanied Minor Children and Families Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving funding pursuant to the Immigrant Opportunities Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Chemical Dependency Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Developmental Disabilities Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the MHy Services – Mental Health Providers Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Mental Health Contracts Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Medicaid Redesign Transition Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Day Laborer Workforce Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Create New Technology Incubators Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Small Business/Job Development/Financial Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the Worker Cooperative Business Development Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization, specifically a change in the administering agency's unit of appropriation, receiving funding pursuant to the MWBE Leadership Associations

Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Holocaust Survivors Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – School Based Conflict Mediation in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Anti-Gun Violence Initiative – Mental Health/Therapeutic Services in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation, specifically a name change, of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation, specifically a name change, of a certain organization receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 32.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 817 printed in these Minutes).

Int. No. 872

By Council Members Lancman, Mendez, Dickens, Eugene, Koslowitz, Richards, Rose and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to an assessment of city managed court facilities to determine accessibility for persons with disabilities.

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 4-209 to read as follows:

§ 4-209. *Audit of courthouse accessibility for persons with disabilities. a. By January 1, 2016, and annually thereafter, the department of citywide administrative services shall audit each court facility maintained by the department to assess compliance with the Americans with disabilities act.*

b. Within 30 days of the completion of each audit, the department of citywide administrative services shall create and submit a report to the mayor, the speaker of the council and the commissioner of the mayor's office for people with disabilities. The report shall be posted to the department's website in a human and machine-readable format. The report shall include, but not be limited to the following information for each court facility:

1. Whether the court facility is currently in compliance with the accessibility requirements of the American with disabilities act;

2. A description of all measures currently implemented to comply with the Americans with disabilities act;

3. A description of all reasonable measures, including structural measures, that would increase accessibility of the court facility for persons with disabilities and for each such measure, the cost to implement;

4. An action plan, summarizing the department of citywide administrative services' recommendations on increasing accessibility based on these reasonable measures, including a schedule to implement such recommendations;

5. In each annual report subsequent to the first report required by this section, the report shall also include an update on the implementation of the recommendations of the action plan.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Int. No. 873

By Council Members Levine and Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to a car-sharing parking program.

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 19-175.5 to read as follows:

§ 19-175.5 *Car-sharing parking program. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Car-sharing company. The term “car-sharing company” means an organization that operates a program in which access to a fleet of private vehicles is provided to members of the organization on an hourly or other short-term basis.

Car-sharing vehicle. The term “car-sharing vehicle” means a vehicle used by the car-sharing member that is owned and registered by a car-sharing company.

Designated parking spaces. The term “designated parking area” means locations on streets where parking is permissible that the department reserves for the exclusive use of car-sharing vehicles, including, but not limited to, metered parking spaces.

b. The department shall establish a car-sharing parking program that allows car-sharing companies to apply for designated parking spaces. As part of such program, the department may establish a mechanism by which a car-sharing company would compensate the department for any lost parking meter revenue.

c. No later than September 1, 2016 and annually thereafter, the department shall submit a report to the council regarding the car-sharing parking program including, but not limited to: i) the number of car-sharing companies applying for designated parking spaces and the number of spaces requested; ii) if the department denies an application, the reason for such denial, iii) the number and locations of designated parking spaces; and iv) information on any mechanism established pursuant to subdivision b of this section and any monies collected pursuant to such mechanism.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner 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 Transportation.

Int. No. 874

By Council Members Miller and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to commuter vans.

Be it enacted by the Council as follows:

Section 1. Subdivision j of section 19-504.2 of the administrative code of the city of New York is amended to read as follows:

j. (i) No application for authorization to operate a commuter van service shall be approved if the applicant has been found guilty of operating a commuter van service without authorization to operate such commuter van service two times within a six-month period prior to the date of application, provided that such violations

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were committed on or after the date occurring six months after the effective date of this subdivision.

(ii) No application for authorization to operate a commuter van service shall be approved or renewed if the applicant fails to produce records that show that there are, at a minimum, the same number of licensed commuter van drivers employed by the company as there are registered commuter vans affiliated with such commuter van service.

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

Referred to the Committee on Transportation.

Int. No. 875

By the Public Advocate (Ms. James) and Council Members Mendez, Koo, Koslowitz, Mealy, Richards and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a pilot program for the installation of left-turn arrow traffic signals at no fewer than 100 intersections in the city.

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 19-175.5 to read as follows:

§ 19-175.5 Left-turn arrow pilot program. a. The commissioner shall establish a pilot program to install left-turn arrow traffic signals at intersections of city streets as described in this section.

b. No later than 180 days after the effective date of the local law that added this section, the commissioner shall select no fewer than 100 intersections of city streets, in which at least one of the streets forming the intersection has four or more lanes of traffic, for the installation of left-turn arrow traffic signals and shall determine the mode of left-turn arrow traffic signal to be installed at each such intersection, namely permissive only mode, protected only mode, protected/permissive mode or variable left-turn mode, as such modes are defined in the most recent edition of the manual on uniform traffic control devices. In selecting intersections and modes pursuant to this subdivision, the commissioner shall consider the guidelines contained in the manual on uniform traffic control devices and any other relevant traffic safety guidelines and shall consult with groups that advocate on traffic-related issues.

c. The commissioner shall post on the department's website the locations of all intersections at which left-turn arrow traffic signals will be installed pursuant to this section and the mode of each such signal and shall disaggregate such locations by community board district and by council district.

d. Beginning no later than 180 days after the effective date of the local law that added this section, the commissioner shall install left-turn arrow traffic signals at the

intersections selected pursuant to subdivision b of this section at a rate of no fewer than 50 signals per year.

e. After installing a signal pursuant to this section, the commissioner shall monitor the intersection where it is installed for changes, including:

1. Changes in the number of fatalities and injuries occurring at such intersection;

2. Changes in traffic and congestion at such intersection; and

3. Other changes deemed relevant by the commissioner.

f. On or before February 1 of each year until the expiration of this section, the commissioner shall post on the department's website a report analyzing the status of the program. This report shall provide a detailed assessment of the program, including, as applicable:

1. The cost of the program and all funding sources;

2. Recommendations for improvements to the program;

3. Availability of any new technology that could be employed by the department for use in the program;

4. An enumeration of any additional intersections in the city that might warrant inclusion in the program or any similar future program; and

5. Any conclusions drawn based on the monitoring undertaken pursuant to subdivision e of this section for all intersections where left-turn arrows have been installed pursuant to this section.

g. This section expires and is deemed repealed 5 years after the effective date of the local law that added this section.

§ 2. This local law takes effect immediately and expires and is deemed repealed 5 years after its effective date.

Referred to the Committee on Transportation.

Int. No. 876

By The Public Advocate (Ms. James) and Council Members Mealy and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit reports on enforcement of right of way violations.

Be it enacted by the Council as follows:

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

§14-155. Right of way violations. a. The commissioner shall post on the department website, beginning October 15, 2015 and within 15 days of each quarter thereafter, quarterly reports regarding violations of administrative code section 19-190. Such reports shall include: (i) the total number of violations issued; (ii) the

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number of violations issued for violation of section 19-190(a); (iii) the number of violations issued for violation of section 19-190(b); (iv) whether the vehicle involved in the incident was turning right or left; (v) the type of vehicle or vehicles involved in the incident; and (vi) the outcome of the adjudication of any such violations.

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

Referred to the Committee on Public Safety.

Int. No. 877

By Council Members Reynoso, Mealy, Richards, Menchaca, Chin, Palma, Johnson, Miller and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the marketing of affordable housing units.

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

*CHAPTER 12
MARKETING AFFORDABLE UNITS*

§ 26-1201 Definitions.

§ 26-1202 Pre-marketing seminars.

§ 26-1203 Marketing requirements.

§ 26-1204 Violations and penalties.

§ 26-1201 Definitions. For the purposes of this chapter:

City financial assistance. The term “city financial assistance” includes any loans, grants, tax credits, tax exemptions, tax abatements, subsidies, mortgages, debt forgiveness, land conveyances for less than appraised value, land value, or other thing of value allocated, conveyed or expended by the city.

Department. The term “department” means the department of housing preservation and development.

Developer. The term “developer” means an individual, sole proprietorship, partnership, joint venture, corporation or other entity that receives city financial assistance for a housing development project.

Housing development project. The term “housing development project” means construction, rehabilitation or alteration of a multiple dwelling which is (1) funded in whole or in part by city financial assistance and (2) is subject to a regulatory agreement mandating the creation of a certain number of affordable units. § 26-1202 Pre-marketing seminars. The department shall be rule prescribe requirements for

pre-marketing seminars. Such seminars shall include, but not be limited to, financial consultations, paper applications, and assistance with filling out such applications.

§ 26-1203 Marketing requirements. Developers of housing development projects shall:

a. Perform two pre-marketing seminars at least six months prior to the earlier of the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

b. Notify the community board in which the affordable units are located by certified or registered mail, return receipt requested, and by email, of the marketing of affordable units at least six months prior to the earlier of either the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

c. Make applications for units within the housing development available to print online;

d. Place advertisements for applicants for affordable units in newspapers written in the two most common non-English languages spoken in the community district in which the affordable units are located, as calculated using demographic information available from the United States Bureau of the Census; and

e. Publish all required advertisements for at least six weeks prior to the earlier of either the commencement of the open housing lottery or the anticipated occupancy date of the first unit;

§ 26-1204 Violations and penalties. Any developer who violates the provisions of section 26-1202 of this chapter shall be liable for a civil penalty of one thousand dollars.

§2. This local law shall take effect 120 after its enactment, except that the commissioner of housing preservation and development may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 878

By Council Members Reynoso, Arroyo, Koo, Koslowitz, Mealy and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a monthly report to council members and community boards of certain permits issued by the department of buildings.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 28 of the administrative code of the city of New York is amended by adding new section 28-105.1.2 to read as follows:

§28-105.1.2 Monthly report of permits to community boards and council members. The department shall, no later than the tenth day of each month, issue a

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report to each council member and community board containing information on new building, alteration type-1, and full demolition permits issued during the prior calendar month for properties located within the relevant council district and community district, respectively. The report shall be disaggregated by job type, and shall contain for each permit: (i) the name of the applicant; (ii) the location of the property; (iii) whether such property is vacant, and (iv) any open complaints for such property.

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

Referred to the Committee on Housing and Buildings.

Int. No. 879

By Council Members Rosenthal, Koo, Mealy and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to receptacles in a building or dwelling that has a high concentration of rodent infestation.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-120 chapter 1 of title 16 of the administrative code of the city of New York is amended to read as follows:

§ 16-120 Receptacles for the removal of waste material. a. *1.* The owner, lessee, agent, occupant or other person who manages or controls a building or dwelling shall provide and maintain in accordance with this section separate receptacles for the deposit of incinerator residue and ashes; refuse, and liquid waste. The receptacles shall be provided for the exclusive use of each building or dwelling and shall be of sufficient size and number to contain the wastes accumulated in such building or dwelling during a period of seventy-two hours. The receptacles shall be made of metal or other material of a grade and type acceptable to the department, the department of health and mental hygiene and the department of housing preservation and development. Receptacles used for liquid waste shall be constructed so as to hold their contents without leakage. Metal containers shall be provided with tight fitting metal covers.

2. Where a building or dwelling has received two or more violations pursuant to section 151.02 of the New York city health code or section 27-2018 of the housing maintenance code within a twelve month period, commencing after the effective date of the local law that added this sentence, and such violations are upheld by the environmental control board, the receptacles required pursuant to paragraph one of this subdivision shall be of a material or design approved by the department, department of health and mental hygiene and department of housing preservation and development to minimize rodent access and harborage. This requirement shall apply for such building or dwelling until a two-year period, commencing after initial application of the requirement, has elapsed in which no such violations have been issued to such building or dwelling and upheld by the environmental control board.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 880

By Council Members Rosenthal, Richards, Constantinides, Koo and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the use of b-5 biodiesel fuel in city-owned, operated or contracted school buses.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 24-163.9 of the administrative code of the city of New York, as added by local law number 61 for the year 2009, is amended to read as follows:

Biodiesel. The term “biodiesel” means biodiesel as defined in section 24-163.4 of this code, provided that such fuel meets the specifications of the American society of testing and materials designation D 6751-15.

[(1) "Department of education"] *Department of education. The term “department of education” means the New York city department of education, formerly known as the New York city board of education, and any successor agency or entity thereto, the expenses of which are paid in whole or in part from the city treasury.*

[(2) "Person" means any natural person, partnership, firm, company, association, joint stock association, corporation or other legal entity.]

[(3) "School bus"] *School bus. The term “school bus” means any vehicle of the designation "Type A bus," "Type B bus," "Type C bus," or "Type D bus," as set forth in subdivisions x, y, z, and aa of section 720.1 of title seventeen of the New York codes, rules and regulations, that is operated pursuant to a school bus contract and is used to transport children to or from any school located in the city of New York.*

Ultra low sulfur diesel fuel. The term “ultra low sulfur diesel fuel” means ultra low sulfur diesel fuel as defined in section 24-163.4 of this code.

[(4) "School bus contract"] *School bus contract. The term “school bus contract” means any agreement between any person and the department of education to transport children on a school bus.*

§ 2. Section 24-163.9 of the administrative code of the city of New York is amended by adding a new subdivision j to read as follows:

j. Diesel fuel-powered school buses shall be powered by fuel that is both (1) ultra low sulfur diesel fuel and (2) at least five percent biodiesel.

§ 3. This local law takes effect 180 days after it becomes law, except 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.

August 13, 2015

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Referred to the Committee on Environmental Protection.

Int. No. 881

By Council Members Rosenthal, Torres, Cohen, Eugene, Koo, Lancman, Koslowitz, Cabrera and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to persons with disabilities.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new chapter 12 to title 8 to read as follows:

Chapter 12
NONDISCRIMINATORY ACCESS TO SERVICES

§ 8-1201 Definitions. For the purposes of this chapter:

ADA. "ADA" means the Americans with Disability Act, title 42 of the United States code section 12101 et seq.; and

Coordinator. "Coordinator" means an employee, who is knowledgeable about the ADA and addressing the needs of persons with disabilities, designated to be the main contact for individuals requesting auxiliary services and investigations related to ADA compliance.

§ 8-1202 ADA Coordinator. Each agency shall designate an ADA coordinator to coordinate its efforts to comply with and carry out its responsibilities under the ADA, including, but not limited to, coordination of auxiliary services and assistance in the investigation of any complaint communicated to it alleging its noncompliance with the ADA or alleging any actions that would be prohibited by the ADA. Each agency shall post the name, office address, and telephone number of the employee or employees designated as the ADA coordinator on their website.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Int. No. 882

By Council Members Rosenthal, Torres, Arroyo, Eugene, Koo, Koslowitz, Cabrera and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that all public meetings and hearings be held in facilities equipped with assistive listening systems, where possible in the

form of induction loop assistive listening systems, and requiring an annual report relating to assistive listening systems.

Be it enacted by the Council as follows:

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

*CHAPTER 8
ASSISTIVE LISTENING SYSTEMS*

§ 23-801 Assistive listening systems for public meetings. By January 1, 2020, every meeting or hearing held by any community board or any entity subject to paragraph d of section 1063 of the charter, which meeting or hearing is required to be open to the public pursuant to any federal, state or local law shall be held in facilities equipped with a permanently installed induction loop assistive listening system.

§ 23-802 Waivers. a. Application. Any community board or other entity subject to section 23-801 may apply to the mayor's office for people with disabilities or such other office or agency as the mayor may designate for a waiver of the requirements in section 23-801 for any meeting or hearing.

b. Standards. No such waiver shall be granted unless the applicant demonstrates that:

1. compliance with section 23-801 is impossible or would subject the applicant to extreme hardship; and

2. a comparable alternative assistive listening system will be available at the meeting or hearing.

§ 23-803 Accountability. a. Report required. On or before August 1, 2016, and annually thereafter, such office or agency as the mayor may designate, in cooperation with other relevant agencies and interested members of the public, shall deliver a report to the mayor, the council of the city of New York, and each community board. That report shall include for the prior calendar year:

1. The number and percentage of public meetings and hearings of city agencies at which assistive listening technology was available, which data shall be broken down by agency and type of assistive listening technology;

2. The number of waivers applied for pursuant to section 23-802, the number of such waivers granted, and the grounds for each grant;

3. The number and location of public and private facilities, not including private residences, in each community district at which an assistive listening system in the form of a permanent or temporary induction hearing loop is available and, if such system is available in a portion of such facility, which portion;

4. The number and identity of facilities built or renovated by or on behalf of any city agency at which a permanently installed induction loop assistive listening system:

(a) was installed; and

(b) was not installed, and for each such building or facility the reason no such system was installed, including whether any alternative assistive listening system was installed and whether any such alternative system was permanent or temporary;

5. Information regarding new or additional types of assistive listening systems and whether they are reasonable alternatives to induction hearing loops.

6. A current estimated total and yearly cost for full compliance with this chapter.

b. Sources of information. The report called for in subdivision a shall include information reasonably available from the relevant agencies, community outreach and other publicly available sources of information.

§ 2. This local law takes effect immediately. The commissioner of the mayor's office for people with disabilities or such other officer as the mayor may designate may promulgate rules or take other actions for the implementation of this local law.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Int. No. 883

By Council Members Rosenthal, Torres, Cohen, Mendez, Arroyo, Eugene, Koo, Rose, Wills, Koslowitz, Cabrera and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring advertising and other materials pertaining to certain public events to include information regarding accessibility for people with disabilities.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 8 of the administrative code of the city of New York is amended by adding a new section 8-132 to read as follows:

§ 8-132. Notification of accessibility for certain events open to the public. a. For the purposes of this section "events open to the public," shall mean any event to which members of the general public are invited, whether for a fee or complementary, where the capacity of such event is twenty five persons or more.

b. All advertisements, posters and other publicity materials for events open to the public, whether in print or via electronic means, hosted by the government of the city of New York, sponsored by the city of New York or hosted by an organization or business that has received funding from the city of New York for the prior two years, shall include the following:

1. information regarding whether there will be wheelchair accessibility at the venue or venues for the event;

2. information regarding whether there will be communication access real-time translation (CART) or sign language interpretation at the event for persons who are

deaf, at the venue or venues for the event;

3. information regarding whether assistive listening systems for people with hearing loss will be available at the venue or venues for the event, and, if so, the specific kind, including, but not limited to, hearing loops;

4. information regarding any other amenities for people with disabilities that will be available at the venue or venues for the event; and

5. information regarding who to contact for additional information regarding accessibility for people with disabilities at the event and a deadline for when requests for amenities for the disabled must be received by the organizer of the event.

§ 2. This local law shall take effect one hundred and twenty days after its enactment, except that the department of health and mental hygiene shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Res. No. 818

Resolution calling upon the United States Congress to pass and the President to sign the Improving the Treatment of the U.S. Territories Under Federal Health Programs Act of 2015 (H.R. 2635), which would make improvements to the treatment of the United States territories under the Medicare and Medicaid programs.

By Council Members Torres, The Speaker (Council Member Mark-Viverito), Mendez, Arroyo, Koo, Koslowitz and Richards.

Whereas, According to the 2010 Census, Puerto Ricans make up nine percent of New York City's total population and New York State contains 23 percent of all Puerto Ricans in the United States (U.S.); and

Whereas, Puerto Ricans are United States citizens who pay the same Medicare taxes, yet the island receives less healthcare funding than any of the fifty states; and

Whereas, Enrollment numbers show that up to sixty percent of the Island's population receives their health care through Medicare, Medicare Advantage or Medicaid; and

Whereas, Even though these public programs are such a large portion of Puerto Rico's health care industry, practitioners receive much smaller Medicare and Medicaid reimbursement rates than those received by their counterparts on the mainland; and

Whereas, The amount of funding that the federal government provides to support the Medicaid program in territories is capped although there is no limit in matching funds for states; and

Whereas, The federal contribution to states for Medicaid ranges from 50 percent for the wealthiest states to 83 percent for the poorest states, however territories are capped at 50 percent; and

Whereas, The situation is so bad that some advocates estimate that one doctor a day leaves Puerto Rico to go work in the states; and

Whereas, One study found that compared with hospitals in the states, hospitals in the U.S. territories have significantly higher 30-day mortality rates and lower performance levels on every standard of care measured in the study; and

Whereas, The Patient Protection and Affordable Care Act (ACA) of 2010 provided \$6.4 billion in additional Medicaid funding to Puerto Rico from Fiscal Year 2011 to the end of Fiscal Year 2019; and

Whereas, With this additional funding running out in the coming years and the territory's current disastrously low funding rate, Puerto Rico will have to come up with billions of dollars starting in 2018 or dramatically reduce its Medicaid program; and

Whereas, Puerto Rico is currently facing one of the greatest fiscal and economic crises in its modern history and the austerity measures needed for its fiscal well-being are sure to take a toll on public health services; and

Whereas, Pedro R. Pierluisi, Puerto Rico's resident commissioner to the U.S. Congress, introduced the Improving the Treatment of the U.S. Territories Under Federal Health Programs Act of 2015 (H. R. 2635); and

Whereas, Starting in Fiscal Year 2017, the bill would provide the territories, including Puerto Rico, with state-like treatment by eliminating the funding cap for Medicaid and calculating reimbursement based on a territory's per capita income; and

Whereas, H.R. 2635 would amend the Social Security Act to include the territories in the Medicaid disproportionate share hospital program (which provides funding to hospitals that treat a high percentage of low-income and uninsured patients), from which they have always been excluded; and

Whereas, The legislation would also improve the formula for the Medicare disproportionate share hospital program in Puerto Rico, as the current formula calculates payments based on the number of patients enrolled in the federal Supplemental Security Income program, a program that was not extended to Puerto Rico; and

Whereas, H. R. 2635 would also change the base rate for Puerto Rico's hospitals to be equal to those in the states; and

Whereas, The bill would establish a reasonable floor for Medicare payments to compensate for a Medicare formula that many believe is disadvantageous to Puerto Rico and results in insufficient payments to physicians; and

Whereas, H. R. 2635 would also cut in half the annual fee on insurers in territories that was created in the ACA, since the purpose of the fee was to help offset the cost of the ACA and territories are not eligible for many of the benefits provided in the ACA; and

Whereas, If the government does not intervene, hundreds of thousands of patients in Puerto Rico could see a dramatic decrease in their healthcare coverage; and

Whereas, President Barack Obama and Health and Human Services Secretary Sylvia Mathews Burwell should also strengthen the federal government's investment in the health of the people of Puerto Rico and work to ensure healthcare equity for Puerto Rico; and

Whereas, We need to act now to save Puerto Rico's healthcare system; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President to sign the Improving the Treatment of the U.S. Territories Under Federal Health Programs Act of 2015 (H.R. 2635), which would make improvements to the treatment of the United States territories under the Medicare and Medicaid programs.

Referred to the Committee on State and Federal Legislation.

Int. No. 884

By Council Members Ulrich, Mendez, Arroyo, Constantinides, Eugene, Mealy and Rose.

A Local Law to amend the New York city charter, in relation to requiring each community board to establish a veterans committee.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 2800 of chapter 70 of the New York city charter is amended by adding a new subparagraph 22 to read as follows:

(22) Establish a committee dedicated to the needs of veterans and their families, with the meetings of such committee open to the public except as otherwise provided by law.

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

Referred to the Committee on Governmental Operations.

Preconsidered L.U. No. 270

By Council Member Greenfield:

Application No. 20155364 SCR pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 345-seat annex building to serve the existing Curtis High School, located on Saint Marks Place west of Nicholas Street (Block 22, part of Lot 1), in the Borough of Staten Island, Community School District No. 31, Community Board 1, Council District 49.

August 13, 2015

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Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses).

Preconsidered L.U. No. 271

By Council Member Greenfield:

Application No. 20155589 SCQ pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 450-seat primary school, located on the north side of 34th Avenue between 69th and 70th Streets (Block 1242, Lot 32), in the Borough of Queens, Community School District No. 30, Community Board 3, Council District 25.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses).

Preconsidered L.U. No. 272

By Council Member Greenfield:

Application No. 20155388 SCK pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 240-seat pre-kindergarten school, located on the north side of 93rd Street between 3rd and 4th Avenues (Block 6103, Lots 42 and 43), in the Borough of Brooklyn, Community School District No. 20, Community Board 10, Council District 43.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses).

Preconsidered L.U. No. 273

By Council Member Greenfield:

Application No. 20155170 SCQ pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 504-Seat Primary School facility to be located on the south side of Albert Road between Raleigh Street and 99th Place (Block 11558, Portion of Lot 1 and Block 11560, Portion of Lot 1), and the intervening Bed of Huron Street, Borough of the Queens, in Community School District No. 27, Community Board 10, Council District 32.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses).

L.U. No. 274

By Council Member Greenfield:

Application No. 20155746 TCM pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of North of Houston LLC d/b/a White Street, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 221 West Broadway, Borough of Manhattan, Community Board 1, Council District 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and Section 20-226 of the New York City Administrative Code.

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

L.U. No. 275

By Council Member Greenfield:

Application No. C 150188 PCK submitted by the New York City Police Department and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 4312 2nd Avenue for use as a warehousing and storage facility, Borough of Brooklyn, Community Board 7, Council District 38. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

L.U. No. 276

By Council Member Greenfield:

Application No. C 150305 PCK submitted by the New York County District Attorney's Office and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 4312 2nd Avenue for use as a warehousing and storage facility, Borough of Brooklyn, Community Board 7, Council District 38. This application is subject to the review and action by the Land Use Committee only if appealed to the Council pursuant to 197-d(b)(2) of the Charter or called up by a vote of the Council pursuant to 197-d(b)(3) of the Charter.

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Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

L.U. No. 277

By Council Member Greenfield:

Application No. 20155771 HKK (N 150445 HKK), pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Henry and Susan McDonald House (Block 1887, Lot 82) (Designation List No. 482/ LP No. 2543), Borough of Brooklyn, Community Board 2, Council District 35, as a landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

L.U. No. 278

By Council Member Greenfield:

Application No. 20155770 HKK (N 150446 HKK), pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the M.H. Renken Dairy Company Office Building and Engine Room (Block 1909, part of Lots 1001 and 1002) (Designation List No. 482/ LP No. 2519), Borough of Brooklyn, Community Board 2, Council District 35, as a landmark.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting, and Maritime Uses.

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

ANNOUNCEMENTS:

Tuesday, September 8, 2015

Subcommittee on **ZONING & FRANCHISES** **9:30 A.M.**
See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor Donovan Richards, Chairperson

Committee on **PUBLIC SAFETY** **10:00 A.M.**
Agenda to be announced

Council Chambers – City Hall Vanessa L. Gibson, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING
& MARITIME USES**..... **11:00 A.M.**
See Land Use Calendar
 Committee Room – 250 Broadway, 16th FloorPeter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS
& CONCESSIONS****1:00 P.M.**
See Land Use Calendar
 Committee Room – 250 Broadway, 16th FloorInez Dickens, Chairperson

Wednesday, September 9, 2015

Committee on **CIVIL SERVICE AND LABOR** **10:00 A.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor I. Daneek Miller, Chairperson

Committee on **FINANCE** **10:00 A.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 16th Floor
 Julissa Ferreras-Copeland, Chairperson

Committee on **YOUTH SERVICES** **10:00 A.M.**
 Agenda to be announced
 Committee Room – City Hall Mathieu Eugene, Chairperson

Committee on **LAND USE** **11:00 A.M.**
All items reported out of the Subcommittees
AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
 Council Chambers – City Hall David G. Greenfield, Chairperson

Committee on **ENVIRONMENTAL PROTECTION****1:00 P.M.**
 Agenda to be announced
 Committee Room – 250 Broadway, 16th Floor
Costa Constantinides, Chairperson

Committee on **MENTAL HEALTH, DEVELOPMENTAL DISABILITY,
ALCOHOLISM, SUBSTANCE ABUSE
AND DISABILITY SERVICES**.....**1:00 P.M.**
 Agenda to be announced

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Committee Room – City Hall Andrew Cohen, Chairperson

Committee on **RECOVERY AND RESILIENCY** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor Mark Treyger, Chairperson

Thursday, September 17, 2015

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

..... *Agenda – 1:30 p.m.*

During the Communication from the Speaker, the Speaker (Council Member Mark-Viverito) acknowledged the presence of the New York City Youth Council seated in the balcony. The Youth Council, she continued, is the first ever body of Junior Council Members representing districts across the City of New York. The organization is run in partnership with the Coro New York Legislative Center and serves as a training program for young people to build their leadership skills. The members of the Youth Council were greeted with applause by those assembled in the Chambers.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the Public Advocate (Ms. James) adjourned these proceedings to meet again for the Stated Meeting on Thursday, September 17, 2015.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor’s Local Law Note: Int Nos. 89-A, 235, 425-A, 558-A, 830-A, 847-A, and Preconsidered Int No. 849, all adopted at the July 23, 2015 Stated Meeting, were signed into law by the Mayor on August 10, 2015 as, respectively, Local Law Nos. 70, 71, 72, 73, 74, 75, and 76 of 2015.