

THE COUNCIL

STATED MEETING OF

THURSDAY, FEBRUARY 12, 2015

THE COUNCIL

*Minutes of the Proceedings for the
STATED MEETING*

of

Thursday, February 12, 2015, 1:47 p.m.

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

Council Members

Melissa Mark-Viverito, Speaker

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

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 51 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 Rev. Msgr. Fernando Ferrarese, Immaculate Conception Church, 21-47 29th Street, Astoria, N.Y. 11105.

Oh God,
we beseech you to bless and strengthen
the members of the City Council
so that they can accomplish
true and lasting good for the people of our city.
On this day when we commemorate

our beloved former president Abraham Lincoln,
help them to learn from his life
the lasting virtues that make for true civic greatness.
Give our Council the virtue of wisdom and prudence
that they may weigh the pros and cons of each issue
and strive to put the welfare of the people before their own;
bestow upon them the virtue of justice
that they may guard the most neglected of our city
as well as those of wealth and power;
make them courageous in struggling
against evil and its corrosive power
that they may unselfishly fight
to better the lot of our most vulnerable
even in the face of criticism and disfavor.
Like former president Lincoln so poetically said
let them be motivated by the better angels of their nature
to help to reconcile the divisions of our city.
With malice toward none, with charity for all,
with firmness in the right as God gives us to see the right,
let us strive on to finish the work we are in.
May these sentiments of Lincoln guide
the deliberations of the Council today and every day.
To this let us say Amen.

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

At this point, the Speaker (Council Member Mark-Viverito) asked for a Moment of Silence in memory of three young Muslim-Americans who were shot and killed in their homes in Chapel Hill, North Carolina on February 10, 2015. The Speaker (Council Member Mark-Viverito) asked all to stand in solidarity with those grieving this senseless act of hate and violence. She offered her thoughts and prayers to the Barakat and Abu-Salma families.

ADOPTION OF MINUTES

Council Member Cabrera, together with young Council Members-for-a-Day Melanie Vargas and Antonio Marie, moved that the Minutes of the Charter Meeting of January 7, 2015 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

M-228

Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2016, pursuant to Sections 225 and 236 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-229

Communication from the Mayor - Submitting February 2015 Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2015-2019, pursuant to Sections 101 and 213 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-230

Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2016, pursuant to Sections 100 and 231 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-231

Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2016, pursuant to Sections 100, 212 and 231 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-232

Communication from the Mayor - Submitting Preliminary Contract Budget Report for Fiscal Year 2016, pursuant to Section 104 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-233

Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2016, pursuant to Section 213 and 236 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-234

Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2016, Volumes 1, 2, & 3, and the Capital Commitment Plan, Financial Summary, pursuant to Section 219 of the New York City Charter.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-235

Communication from the Mayor - Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Year 2016-2025.

(For text of this Budget related material, please refer to the City Hall Library at 31 Chambers Street, Room 112, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-236

Communication from the Mayor - Submitting Preliminary certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2016 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

February 9, 2015

Honorable Members of the Council

Honorable Scott M. Stringer, Comptroller
 Honorable Ruben Diaz, Jr., Bronx Borough President
 Honorable Eric L. Adams, Brooklyn Borough President
 Honorable Gale A. Brewer, Manhattan Borough President

Honorable Melinda R. Katz, Queens Borough President
 Honorable James S. Oddo, Staten Island Borough President
 Honorable Members of the City Planning Commission

Ladies and Gentlemen:

I hereby certify on a preliminary basis that, as of this date, in my opinion, the City of New York (the "City"), the New York City Municipal Water Finance Authority and the New York City Transitional Finance Authority may soundly issue debt and expend reserves to finance total capital expenditures of the City for fiscal year 2016 and the ensuing three fiscal years, in maximum annual amounts as set forth below:

2016	\$6,865 Million
2017	7,521 Million
2018	7,720 Million
2019	7,672 Million

Certain capital expenditures are herein assumed to be financed from the proceeds of sale of bonds by the City and the New York City Transitional Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed above and are estimated to be as follows in fiscal years 2016-2019:

2016	\$5,326 Million
2017	6,032 Million
2018	6,201 Million
2019	6,180 Million

Certain water and sewer capital expenditures are herein assumed to be financed from the proceeds of the sale of bonds by the New York City Municipal Water Finance Authority. Amounts of expenditures to be so financed have been included in the total amounts listed in the first paragraph hereof and are estimated to be as follows in fiscal years 2016 — 2019:

2016	\$1,539 Million
2017	1,490 Million
2018	1,519 Million
2019	1,492 Million

I further certify on a preliminary basis that, as of this date, in my opinion, the City may newly appropriate in the Capital Budget for fiscal year 2016, and may include in the capital program for the ensuing three fiscal years, amounts to be funded by City debt, New York City Transitional Finance Authority debt or, with respect to water and sewer projects, debt of the New York City Municipal Water Finance Authority, not to exceed the following:

2016	\$9,202 Million
2017	8,727 Million
2018	10,057 Million
2019	10,319 Million

Sincerely,

Bill de Blasio
 Mayor

Received, Ordered, Printed and Filed

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-237

Communication from the Department of Housing Preservation and Development - Submitting Letter from the United States Bureau of the Census containing results of the 2014 New York City Housing and Vacancy Survey, Pursuant to subdivision 3 of Section 1 of Local Emergency Housing Rent Control Act.

February 9, 2015

The Honorable Melissa Mark-Viverito
 Speaker
 New York City Council

City Hall
New York, NY 10007

Dear Speaker Mark-Viverito:

As required by subdivision three of section one of the Local Emergency Housing Rent Control Act, enclosed is a letter from the United States Bureau of the Census containing results of the 2014 New York City Housing and Vacancy Survey (HVS), as well as a report on selected initial findings of the 2014 HVS prepared by the Division of Housing Policy Analysis and Statistical Research.

Sincerely,

Vicki Been

Referred to the Committee on Housing and Buildings.

LAND USE CALL UPS

M-238

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 130066 ZSM shall be subject to Council review.

Coupled on Call-Up Vote.

M-239

By Council Member Chin:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 140353 ZSM shall be subject to Council review.

Coupled on Call-Up Vote.

LAND USE CALL UP VOTE

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

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca, Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **51**.

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

REPORTS OF THE STANDING COMMITTEES

Reports 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 Int. No. 655

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

The Committee on Finance, to which the annexed preconsidered proposed local law was referred on February 12, 2015, respectfully

REPORTS:

A. BACKGROUND

A lien is a legal claim against real property for unpaid property taxes, water, sewer or other property charges, as well as the interest due on these taxes and charges.¹ When outstanding amounts have been delinquent for a legally specified period of time, and the City has mailed notice to the property owner, the City of New York is allowed to sell the lien(s) to an authorized third party, who becomes the “tax lien purchaser.”² The new tax lien purchaser then has the authority to collect the money that was previously owed to the City, plus other fees and interest.³ The City Council first authorized the Commissioner of Finance to sell tax liens in 1996, and has subsequently extended this authority several times.⁴

Most recently, the Council adopted Local Law 14 of 2015 on January 22, 2015, which amended the Administrative Code to extend the authority of the Commissioner of Finance to sell tax liens until December 31, 2016. The provisions of the law are intended to ensure that the tax lien sale is fair, efficient, and effective. To that end, in addition to several other consumer protections, the legislation created a temporary taskforce to consider administrative and legislative changes that would:

- Minimize non-payment of charges that are subject to the lien sale, including increasing awareness of, and participation in, tax benefit programs;
- Maximize the collection of debt owed to the City;
- Redefine the type of debt that is eligible for the lien sale; and
- Any other matter that the task force deems relevant to the fair, efficient, and effective implementation of the tax lien sale process.

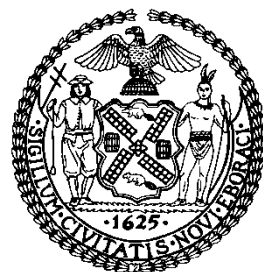
The taskforce will consist of ten members, five of whom will be appointed by the Speaker of the City Council and five of whom will represent the Administration.⁵ Under current law, appointments to the taskforce must be made within sixty days of the effective date of Local Law 14 of 2015 (by April 6, 2015). The taskforce must hold its initial meeting by September 1, 2015 and issue a report to the Mayor and the Speaker by September 1, 2016 detailing its findings and recommendations.

B. PRECONSIDERED INTRO. 655

This Preconsidered Intro. would amend Local Law 14 of 2015 to extend the time the Speaker and the Mayor have to make their appointments to the temporary taskforce to August 1, 2015. In addition, the legislation would remove the restriction on the Speaker that her appointees be Council Members and permit her to appoint any employee of the Council.

The Committee on Finance will consider the Preconsidered Intro. on February 12, 2015 and, upon successful vote by the Committee, the legislation will be submitted to the full Council for a vote on the same day.

(The following is the text of the Fiscal Impact Statement for Int. No. 655:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PRE-CONSIDERED INTRO. NO:

COMMITTEE:
Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens. **SPONSOR(S):** Council Member Ferreras

SUMMARY OF LEGISLATION:

On January 22, 2015, the City Council passed Proposed Intro. 612-A, which was signed into law as Local Law 14 of 2015, which reauthorized the authority of the Commissioner of the Department of Finance to sell tax liens through December 31, 2016. Local Law 14 also, among other things, created a Temporary Taskforce to examine the authority of the Commissioner of Finance to sell tax liens as an effective enforcement tool to collect debt owed to the city, and ensure proper mechanisms and protections are established to decrease the necessity for the use of such tool. The Taskforce will be comprised of five representatives from the Administration and five representatives from the City Council. The Taskforce must hold its first meeting by September 1, 2015 and must submit a report to the Mayor and the Speaker about its

for the Lower Ma_____

¹ See generally, NYC Administrative Code, Title 11, Chapter 3.

² See NYC Administrative Code § 11-332.

³ See *id.*

⁴ See Local Law 26 of 1996, Local Law 98 of 1997, Local Law 26 of 2001, Local Law 2 of 2006, Local Law 68 of 2007, and Local Law 15 of 2011.

⁵ The Administration’s representatives will be: 1) the Mayor’s appointee; 2) the Commissioner of the Department of Environmental Protection or her designee; 3) the Director of the Office of Management and Budget or his designee; 4) the Commissioner of the Department of Finance or his designee; and 5) the Commissioner of the Department of Housing Preservation and Development or her designee.

conclusions and recommendations in examining the tax lien sale process by September 15, 2016.

This legislation would change the date of appointment of the Taskforce members from no later than 60 days after enactment of Local Law 14 to no later than August 1, 2015. This legislation would also clarify that the Speaker can appoint any individual to the Taskforce who is an employee of the Council.

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 the sale of tax liens, as proposed in introduction number 612, takes effect (which was January 1, 2015).

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES & EXPENDITURES: It is anticipated that this legislation would have no impact on revenues and expenditures because the proposed legislation makes only minor changes to an existing local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Emre Edev, Principal Legislative Financial Analyst

ESTIMATE REVIEWED BY: Raymond Majewski, Deputy Director/Chief Economist

Rebecca Chasan, Assistant Counsel
Tanisha Edwards, Chief Counsel

LEGISLATIVE HISTORY: This legislation will be considered by the Committee on Finance as a Preconsidered Intro. on February 12, 2015. Upon a successful vote by the Committee, the legislation will be introduced and submitted to the full Council for a vote on February 12, 2015.

DATE PREPARED: February 11, 2015

Accordingly, this Committee recommends its adoption.

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

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 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 Finance and had been favorably reported for adoption.

Report for Res. No. 570

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on February 12, 2015, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the

“expense budget”) pursuant to Section 254 of the Charter. On June 26, 2014, the Council adopted the expense budget for fiscal year 2015 with various programs and initiatives (the “Fiscal 2015 Expense Budget”). On June 27, 2013, the Council adopted the expense budget for fiscal year 2014 with various programs and initiatives (the “Fiscal 2014 Expense Budget”).

Analysis. This Resolution, dated February 12, 2015, approves new designations 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 2015 Expense Budget, and approves a new designation and changes in the designation of certain organizations 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 and aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, and local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2014 Expense Budget.

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

This resolution sets forth the new designation and changes in the designation of certain organizations receiving local initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving aging discretionary funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving youth initiative funding pursuant to the Fiscal 2015 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of funding pursuant to certain initiatives in the Fiscal 2015 Expense Budget, as described in Charts 4-9; sets forth the new designation and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2014 Expense Budget, as described in Chart 10; amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2015 Expense Budget, as described in Chart 11; and amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2014 Expense Budget, as described in Chart 12.

The charts, attached to the Resolution, contain the following information: name of the council member(s) designating the organization to receive funding or name of the initiative, as set forth in Adjustments Summary/Schedule C/Fiscal 2015 Expense Budget, dated June 26, 2014, 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 2015 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 3 sets forth the new designation and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

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

Chart 5 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 2015 Expense Budget.

Chart 6 sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget.

Chart 7 sets forth the changes in the designation of the Administration for Children’s Services as the agency receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 8 sets forth the new designation of Department of Youth and Community Development as the agency receiving funding pursuant to the Sports Training and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 9 sets forth the new designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2015 Expense Budget. This change will be effectuated upon a budget modification.

Chart 10 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget.

Chart 11 amends the description for the Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding in accordance with the Fiscal 2015 Expense Budget.

Chart 12 amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2014 Expense Budget.

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

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

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2014 and Fiscal 2015 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. 570:)

Res. No. 570

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

By Council Member Ferreras.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 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 2014 and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation of the Administration for Children's Services as the agency receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of Department of Youth and Community Development as the agency receiving funding pursuant to the Sports Training

and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in

accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; 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 2015 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2015

Item #	Organization	EIN Number	Age Inc	Amount	Agy U	Fiscal Consult/Spensoring Organization	Fiscal Consult
Eugene	Friends of Brooklyn Community Board 8, Inc.	45	DSBS	\$2,000.00	801	00	
Eugene	Friends of Brooklyn Community Board 8, Inc.	45	DSBS	\$2,000.00	801	00	
Eugene	Horticultural Society of New York, The	13	DSBS	\$4,000.00	801	00	
Gentile	Americas Disaster Relief	26	DYC	\$3,500.00	280	31	
Gentile	We Care New York, Inc.	46	DYC	\$3,500.00	280	31	
Williams	Caribbean Research Center at Medgar Evers	11	DYC	\$3,500.00	280	00	*
Williams	Caribbean Research Center at Medgar Evers	11	CUN	\$3,500.00	042	00	
Eugene	Diaspورا Community Services, Inc. **	11	DYC	\$6,000.00	280	31	
Eugene	Diaspورا Community Services, Inc. **	11	DOH	\$6,000.00	816	11	
Treygar	Americas Disaster Relief	26	DYC	\$2,500.00	280	31	
Treygar	We Care New York, Inc.	46	DYC	\$2,500.00	280	31	
Weirin	Wechsler Square Partnership, Inc.	26	DOH	\$3,500.00	816	11	
Weirin	Sapora NYC	26	DOH	\$3,500.00	816	11	
CD28	Durton Block and Civic Association, Inc. **	11	DYC	\$7,000.00	280	00	*
CD28	City University of New York School of Law Foundation, Inc., The **	3235349	CUN	\$7,000.00	042	01	

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

CHART 2: Aging Discretionary - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Meely	Wayde Out-Reach Development, Inc. (WORD) - VanDye Houses Senior Center	11-3529890	DFTA	(\$3,500.00)	125	003		
Meely	Wayde Out-Reach Development, Inc. (WORD) - Bewort Houses Senior Center	11-3529890	DFTA	\$3,500.00	125	003		

* Indicates pending completion of pre-qualification review.

CHART 3: Youth Discretionary - Fiscal 2015

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN
Constantinides	Rocketteller Philanthropy Advisors - Zone 126	13-3615533	DYCD	(\$11,000.00)	260	312		
Constantinides	Little Orchestra Society-Orpheon, Inc., The - Zone 126	13-2638292	DYCD	\$11,000.00	260	312		
CD28	103rd Precinct Community Council	20-5484666	DYCD	(\$10,000.00)	260	312		
CD28	Amity Baptist Church	11-2014196	DYCD	(\$15,000.00)	260	312		
CD28	First Faith Baptist Church	022916943	DYCD	\$5,000.00	260	312		
CD28	Fund for the City of New York, Inc.	13-2612524	DYCD	\$10,000.00	260	312		
CD28	Rochdale Village Social Services, Inc.	11-3397470	DYCD	\$10,000.00	260	312		

* Indicates pending completion of pre-qualification review.

CHART 4: Cultural Immigrant Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A
Greenfield	Department of Cultural Affairs	13-6400434	DCLA	(\$59,800.00)	126	003
Greenfield	Brighton Ballet Theater Company, Inc.	11-3195590	DCLA	\$14,700.00	126	003
CD28	New York United Jewish Association, Inc.	26-2647383	DCLA	\$14,700.00	126	003
CD28	Black Spectrum Theatre Company, Inc.	51-0135262	DCLA	\$14,700.00	126	003
CD28	African Poetry Theatre, Inc.	11-2515828	DCLA	\$14,700.00	126	003

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

CHART 5: Cultural After-School Adventure (CASA) Initiative - Fiscal 2015

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A
Williams	Project Girl Performance Collective aka Girls Be Heard - Public School 361	27-1848709	DCLA	(\$20,000.00)	126	003
Williams	Project Girl Performance Collective aka Girls Be Heard - IS 240 Andries Hudde	27-1848709	DCLA	\$20,000.00	126	003

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

CHART 7: Discretionary Child Care Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Administration for Children's Services **	13-6400434	ACS	(\$115,000.00)	068	004

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

CHART 6: Anti-Gun Violence Initiative - Job Readiness Programs - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Federation Employment and Guidance Service, Inc.	13-1624000	DOP	(\$129,400.00)	781	003
Center for Court Innovation	13-2612524	DOP	\$129,400.00	781	003
Man Up!, Inc.	03-0653092	DOP	(\$129,400.00)	781	003
Center for Alternative Sentencing and Employment Services (CASES), Inc.	13-2668080	DOP	\$129,400.00	781	003

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

CHART 9: A Greener NYC Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Zimmer Club Youth Conservation Program of Staten Island, Inc. **	35-2262561	DYCD	\$25,000.00	260	005

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

CHART 8: Sports Training and Rolemodels for Success (STARS) Initiative - Fiscal 2015

Organization	EIN Number	Agency	Amount	Agy #	U/A *
Department of Youth and Community Development **	13-6400434	DYCD	\$90,000.00	260	312

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

CHART 10: Local Discretionary - Fiscal 2014

Member	Organization	EIN Number	Agency	Amount	Agcy #	U/A	Fiscal Conduct/Sponsoring Organization	Fiscal Conduct EIN
Williams	New York Foundation For The Arts, Inc. - CaribBeag	23-7125654	DYCD	(\$7,000.00)	260	005	New York Foundation For The Arts, Inc.	23-7125654
Williams	CaribBeag	45-5182099	DYCD	\$7,000.00	260	005	New York Foundation For The Arts, Inc.	23-7125654

* Indicates pending completion of pre-qualification review.

CHART 11: Purpose of Funds Changes - Fiscal 2015

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Local	Dickens	Positive Worldfocs, Inc.	13-3459196	DSBS	(\$10,000.00)	Cit wide resident population
Local	Dickens	Positive Worldfocs, Inc.	13-3459196	DSBS	source	To assist and provide members of the local community in obtaining job opportunities through a job fair and to provide a job fair for program participants. To provide programmatic support for implementation of the Techs For the Future program, an IT/Specialized Entrepreneurial Training program, Programming Services program, an IT/Specialized Entrepreneurial Training program, Programming Services program, an IT/Specialized Entrepreneurial Training program, IT/Management and support services.
Local	Eugene	Diapora Community Services, Inc.	11-3122295	DYCD	(\$5,000.00)	Funds will support youth and community programming.
Local	Eugene	Diapora Community Services, Inc.	11-3122295	DYCD	\$6,000.00	This funding will help us to purchase the necessary supplies to implement a pilot program that incorporates HIV testing, screening into our outreach activities to HIV-positive individuals, including HIV testing supplies, and will allow us to make sure we have all the necessary training and support in place for our staff who will be working on this program.
Local	Gentile	Brooklyn Chinese-American Association, Inc.	11-3065659	DYCD	(\$5,500.00)	Funds will support youth and community programming.
Local	Gentile	Brooklyn Chinese-American Association, Inc.	11-3065659	DYCD	\$5,500.00	Funds will be used to support BCAs After-School Enrichment Program at P.S. 69, which features homework help, academic enrichment, and STEM activities as well as music, sports, and dance activities for youth participants during after-school hours.
Local	Maitto	Staten Island Chamber of Commerce Foundation, Inc.	13-4069282	DSBS	(\$15,000.00)	Funds will be used to contract a cleaning company to be on call to clean up vacant lots and blighted areas in immediate need as part of our Clean Team Initiative.
Local	Maitto	Staten Island Chamber of Commerce Foundation, Inc.	13-4069282	DSBS	\$15,000.00	Funds will be used for general business and administrative services along Midland Avenue Business Corridor based on the merchant's needs.
Aging	Maitto	Corporal Alvin F. Kivimaa Korean War Veterans Association, Inc.	13-3834076	DFTA	(\$4,500.00)	Funds will be used to support Transportation and equipment for organization meetings.
Aging	Maitto	Corporal Alvin F. Kivimaa Korean War Veterans Association, Inc.	13-3834076	DFTA	\$4,500.00	Funds will be used to support Transportation, food and equipment for organization's meetings.
Local	Lancman	Asian Americans for Equality	13-3187792	DSBS	(\$10,000.00)	Funding to support business assistance for small businesses and entrepreneurs including direct affordable financing and technical assistance programs and a comprehensive tour planning initiative.
Local	Lancman	Asian Americans for Equality	13-3187792	DSBS	\$10,000.00	Funding to support business assistance for small businesses and entrepreneurs including direct affordable financing and technical assistance programs.
Local	Lancman	Asian Americans for Equality	13-3187792	DSBS	(\$4,465.00)	Funding to support business assistance for small businesses and entrepreneurs including direct affordable financing and technical assistance programs and a comprehensive tour planning initiative.
Local	Lancman	Asian Americans for Equality	13-3187792	DSBS	\$4,465.00	Funding to support business assistance for small businesses and entrepreneurs including direct affordable financing and technical assistance programs.
Local	Williams	Haitian Centers Council, Inc.	11-2645601	DYCD	(\$4,000.00)	Funding for Young Men's Mentoring Group workshop
Local	Williams	Haitian Centers Council, Inc.	11-2645601	DYCD	(\$4,000.00)	Funds will be used to support the community fitness program.
Local	Williams	Haitian Centers Council, Inc.	11-2645601	DYCD	(\$3,500.00)	Funds will be used to support the community fitness program.
Youth	Williams	Haitian Centers Council, Inc.	11-2645601	DYCD	\$3,500.00	Funds will be used to support the community fitness program.
Youth	Constantinides	Little Orchestra Society-Opheon, Inc. The - Zone 128	13-3638292	DYCD	\$11,000.00	Funding will be used to provide music theory and composition workshops for youth throughout District 29. These programs will take place at community institutions, such as the Queens Public Library and the local NYCHA campus. Funds will pay for the operating budget and provide supplies for the program.
Local	Richards	Flatbush Shomrim Safely Patrol, Inc.	26-3244587	DYCD	(\$15,000.00)	To assist low-income community residents to move out of unemployment or underemployment. To assist Superstorm Sandy victims to get career goals, improve job readiness and job search skills, and connect to job opportunities in the backlogs and beyond.
Local	Richards	Flatbush Shomrim Safely Patrol, Inc.	26-3244587	DYCD	\$15,000.00	To support public safety programs including outreach to at-risk teens, assistance for the elderly, response to emergencies and biased crime and public awareness campaigns for the local community.

* Indicates pending completion of pre-qualification review.

CHART 12: Purpose of Funds Changes - Fiscal 2014

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds
Boro	Brooklyn Delegation	Arab American Family Support Center	11-3187245	DYCD	(\$4,225.00)	ESL/ESL; Bilingual; Family support will be used to support our Child, ESL, and Citizenship efforts under our Adult Education and Literacy Program. We will create a civic-based ESL curriculum aimed at educating recent immigrants on U.S. history, civil rights, government, and voter participation.
Boro	Brooklyn Delegation	Arab American Family Support Center	11-3187245	DYCD	\$4,225.00	ESL/ESL; Bilingual; Family support will be used to support our Child, ESL, and Citizenship efforts under our Adult Education and Literacy Program. We will create a civic-based ESL curriculum aimed at educating recent immigrants on U.S. history, civil rights, government, and voter participation.
Infant Mortality Reduction		Cery United for Community Empowerment, Inc. (formerly SOCCE)	11-3030795	DOHMH	(\$24,796.08)	Funding will support intervention services for youth between the ages of 14-20. Services will encompass decision making skills, self-esteem building, coping skills, sexual education and substance abuse. In addition, external referrals will be given for job placement and assistance with academic difficulties at local educational institutions.
Infant Mortality Reduction		Cery United for Community Empowerment, Inc. (formerly SOCCE)	11-3030795	DOHMH	\$24,796.08	Funding will support intervention services for youth between the ages of 14-20. Services will encompass decision making skills, self-esteem building, coping skills, sexual education and substance abuse. In addition, external referrals will be given for job placement and assistance with academic difficulties at local educational institutions.
Local	Jackson	North River Community Environmental Review Board, Inc. (NRCERB)	13-3814824	DPR	(\$7,500.00)	Serving the Community through the monitoring of parks and a number of environmental projects. Program expenses including rent, supplies, postage and other overhead expenses.
Local	Jackson	North River Community Environmental Review Board, Inc. (NRCERB)	13-3814824	DPR	\$7,500.00	Serving the Community through the monitoring of parks and a number of environmental projects. Program expenses including rent, supplies, postage and other overhead expenses.
Local	Oddo	Staten Island Baseball Old-timers Association	13-4033266	DYCD	(\$3,500.00)	NOTE: CURRENT PURPOSE SEEMS MISTAKEN PLEASE CHECK AND CORRECT: Funding to support existing staff to help provide essential services to businesses and community groups as well as attempt to recover and rebuild baseball clinics and tournaments for children ages 7-13.
Local	Oddo	Staten Island Baseball Old-timers Association	13-4033266	DYCD	\$3,500.00	Funding to support baseball clinics and tournaments for children ages 7-13.

* Indicates pending completion of pre-qualification review.

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 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 Finance and had been favorably reported for adoption.

Report for Res. No. 571

Report of the Committee on Finance in favor of approving a Resolution concerning the establishment of the South Shore Business Improvement District in the Borough of Staten Island and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

The Committee on Finance, to which the annexed resolution was referred on February 12, 2015, respectfully

REPORTS:

BACKGROUND

Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (hereinafter the "Law"), the Mayor and the Council are authorized to establish Business Improvement Districts (hereinafter "BIDs") in New York City. BIDs, which are specifically established areas, use the City's property tax collection mechanism to approve a special tax assessment with which to fund additional services that would enhance the area and improve local business. The additional services are normally in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising). The Steering Committee of a BID demarcates the areas in which services will be enhanced and also establishes the mechanism for the assessment needed to generate the required budget.

The proposed South Shore BID (hereinafter the "District") is located in the borough of Staten Island and will consist of three, small, non-contiguous commercial strips located in the towns of Great Kills, Eltingville and Annadale. The commercial strips, although small, share common characteristics including access to three nearby Staten Island Rail Road stations located in the center of each town, each

approximately one mile apart. This will be SBS’s first attempt to have a BID managing three nearby commercial strips as one entity.

The District represents 217 tax lots and is located in Staten Island Community Board 3. Approximately two-thirds of the proposed District is made up of commercial businesses or office space. There are 275 businesses in the proposed District, most of which are independently-owned and some of which are regional and national chain stores. The current vacancy rate within the District is less than 10%.

The remaining area within the proposed BID is characterized by public facilities (12%), transportation and utilities (10%), vacant land (7%), one- and two-family residential buildings (5%) and parking lots (2%). There are 82 residential units in the proposed BID.

The District will be managed by the South Shore BID Management Association, Inc. Services to be provided within the District include: sanitation (manual cleaning of streets and sidewalks, sidewalk power washing, graffiti removal, maintenance of tree pits and bus shelters); security (surveillance equipment and security personnel); marketing and promotions (advertising, business directory, website, shopping guide, social media, television commercials, event planning); and administrative and advocacy services.

Sanitation	\$26,000
Security	\$72,000
Marketing and Promotion	\$39,000
Administration and Advocacy	\$48,000

The budget for the first year of operation is \$185,000. All properties within the District in whole or in part devoted to commercial use or mixed use, including parking facilities and vacant lots will be assessed at a base contribution of \$500 per parcel and then further assessed at a contribution based on the property’s front footage. The average annual assessment will be approximately \$1,002, the median annual assessment will be approximately \$873, and the highest projected assessment is \$5,090. Government and not-for-profit owned property are exempt from assessment. Residential properties will be assessed \$1 per year.

PRECONSIDERED RESOLUTION

This Preconsidered Resolution is required by Section 25-407(b) (2) of the Administrative Code, which requires, in relevant part, that a further hearing shall be called by Resolution if the City Council finds that notice of the initial hearing on the proposed District was incorrectly or insufficiently given to property owners within a proposed district.

The main purpose of this Resolution is to set the public hearing date, time and place for the review of the local law which would establish the South Shore BID.

The hearing on the local law and the District Plan will be held on February 26, 2015 at 10:00 a.m. in the Committee Room at City Hall in New York, New York to hear all persons interested in the establishment of the District.

This Resolution also directs Small Business Services (hereinafter “SBS”) and the South Shore BID Steering Committee, respectively, to, not less than ten nor more than thirty days before the date of the public hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District. The Resolution also directs SBS to arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the public hearing.

Accordingly, this Committee recommends its adoption.

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

JULISSA FERRERAS, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, February 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 of the Committee on Parks and Recreation

Report for Int. No. 384-A

Report of the Committee on Parks and Recreation 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 an annual report on non-governmental funding for New York city parks.

The Committee on Parks and Recreation, to which the annexed amended proposed local law was referred on June 11, 2014 (Minutes, page 2051), respectfully

REPORTS:

INTRODUCTION

On February 10, 2015, the Committee on Parks and Recreation, chaired by Council Member Mark Levine, voted on Proposed Int. No. 384-A, A Local Law to amend the administrative code of the city of New York, in relation to an annual report on non-governmental funding for New York City parks.

The Committee voted in favor of the legislation. Accordingly, the Committee recommends its adoption.

BACKGROUND

Section 18-134 of the Administrative Code, originally enacted by Local Law 28 of 2008 (LL 28) requires that DPR provide an annual report to the Council on non-governmental entities or individuals that spend or provide funds and other goods for New York City parks by December first of each year. LL 28 breaks down these entities into two categories: those that donate funds directly to DPR for New York City parks, and those entities or individuals who spend money directly on City parks. For those entities that provide money directly to City parks, the threshold level of spending that must occur to be included in the report is \$5,000. LL 28 also requires DPR to report the expenditures on City parks by nonprofit entities that provide money directly to parks and are required to file IRS 990 forms as a result of their having gross annual incomes of at least \$25,000 annually. The breakdown provided in the annual report is categorized by park, where available, and by service district or borough if no specific park is indicated by the donor of the funds. LL 28 does not require that identifying characteristics be listed for any individual or entity that made such donations anonymously.

The original intent of LL 28 was to allow for the Council to more easily assess the funds needed for parks purposes in the New York City budget by providing an accounting of the entire amount of funds that New York City parks receive from all sources. Moreover, with a breakdown of funds by parks from non-governmental sources for each park, a better allocation of resources needed by each park could be reached, thus providing greater equity in the amount of funds and goods that different parks receive.

While DPR has submitted a report pursuant to LL 28 each year since 2009, many of the reports did not contain sufficient information regarding the actual dollar amounts contributed or spent by private organizations for the relevant reporting period. For example the report submitted by DPR for Fiscal Year 2014 listed Central Park as having spent \$175,000, while it actually had over \$45 million in total expenditures in FY 13.¹ Additionally, numerous other private entities that have agreements to run or maintain certain parks were missing from the report including Friends of the Highline, the Prospect Park Alliance, the New York Restoration Project and Asphalt Green, among numerous other entities. The provision within LL 28 requiring the reporting of entities that file IRS 990 forms was intended to include such entities’ annual park expenditures within the annual report. However, each report released pursuant to LL 28 has neglected to account for such data. DPR has interpreted LL 28 to only require the reporting of actual donations made to parks as it recently stated that the FY 14 report “is limited to goods and services provided to the Department by non-governmental entities and does not include the value of services provided to the Department pursuant to any license agreement that contractually sets forth what services an entity has agreed to provide the Department.”²

Proposed Int. No. 384-A

The intent of Proposed Int. No. 384-A is to ensure that the LL 28 report includes data relating to the expenditures or donations made to City parks by entities that have agreements with DPR to run or maintain certain parks.

Section one of Int. No. 384 would amend section 18-134 of the administrative code to require DPR to submit a report to the council by December 1 of each year for the immediately preceding fiscal year on funds and the value of goods donated by non-governmental sources to DPR for parks under its jurisdiction.

Subparagraph (i) of section one maintains LL 28’s original requirement as it pertains to the reporting of funds or goods donated by individuals or organizations provided that the value of such funds or goods is over \$5000.

Subparagraph (ii) of section one includes language specifically requiring that DPR obtain information from conservancies regarding information about their annual expenditures and include such information on the LL 28 report. Language in this subparagraph requiring the reporting of funding or donations provided by organizations that are required to file IRS 990 forms has been removed because it did not result in producing the data intended by the law. Such language has been replaced by language which clarifies that DPR must include data regarding annual expenditures made by conservancies maintaining parks pursuant to an agreement with DPR.

Specifically, it provides that where DPR has entered into a conservancy arrangement, as defined by section 18-137 of the administrative code, with a conservancy to provide maintenance and operation services regarding a park or portion of a park under DPR’s jurisdiction, DPR will require such conservancy to provide data to the department concerning the total amount of expenditures made by such conservancy for such park or portion of a park.

It further provides that DPR will require that such conservancy that enters into or renews a new conservancy arrangement with the department after July 1, 2015, concerning a park or portion of a park under the jurisdiction of DPR to provide DPR

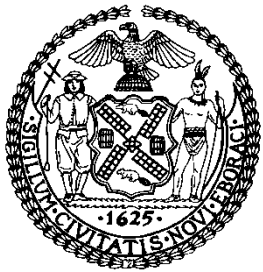
with data regarding its expenditures for such a park or portion of a park. Prior to July 1, 2015, DPR, where practicable, will seek such information from any conservancy with whom the department has an existing conservancy arrangement. If DPR is unable to obtain such information from such conservancy, it shall state the reason why such information was not able to be obtained in the LL 28 report.

Section two of Proposed Int. No. 384-A contains the enactment clause and provides that the bill would take effect immediately.

¹ <http://www.centralparknyc.org/assets/pdfs/audited-financials/FY-13-Audited-Financial-Statement.pdf>

² Letter from Department of Parks and Recreation on Release of FY14 Local Law 28 Report, December 1, 2014.

(The following is the text of the Fiscal Impact Statement for Int. No. 384-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO.: 384-A
COMMITTEE: Parks and Recreation

TITLE: A local law to amend the administrative code of the city of New York, in relation to an annual report on non-governmental funding for New York City parks.

SPONSOR(S): Council Members Levine, Lander, Arroyo, Chin, Cohen, Gentile, Johnson, King, Koo, Mendez, Reynoso, Rodriguez, Vacca, Rosenthal and Cabrera

SUMMARY OF LEGISLATION: Presently, Local Law 28 of 2008 (“LL 28”) requires the Department of Parks and Recreation (“the Department”) to provide the City Council an annual report on non-governmental entities or individuals that spend or provide funding and other donations for New York City parks by December first of each year. As such, since 2009, the Department has submitted reports, pursuant to LL 28, to the City Council. However, many of the reports have failed to meet the intent of the local law by not containing sufficient information regarding the actual dollar amounts contributed or spent by conservancy organizations that maintain parks pursuant to agreements with the Department.

This bill would clarify the intent of LL 28 by requiring that such annual reports submitted by the Department to the Council must include data relating to the expenditures made for City parks by any conservancy that have agreement with the Department to run or maintain a park or a portion of a park for the immediately preceding fiscal year.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York City Council Finance Division
 Tanisha Edwards, Chief Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 384 was introduced to the Council on June 11, 2014 and referred to the Committee on Parks and Recreation. The Committee on Parks and Recreation held a hearing on Intro. No. 384 on January 29, 2015 and the legislation was laid over. Intro. No. 384 was subsequently amended, and the amended version, Proposed Intro. No. 384-A will be voted on by the Committee on Parks and Recreation on February 10, 2015. Upon successful vote by the Committee, Proposed Intro. No. 384-A will be submitted to the full Council for a vote on February 12, 2015.

DATE PREPARED: February 5, 2015.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 384-A:)

Int. No. 384-A

By Council Members Levine, Lander, Arroyo, Chin, Cohen, Gentile, Johnson, King, Koo, Mendez, Reynoso, Rodriguez, Vacca, Rosenthal, Cabrera, Vallone, Dromm, Eugene, Kallos and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to an annual report on non-governmental funding for New York city parks.

Be it enacted by the Council as follows:

Section 1. Section 18-134 of the administrative code of the city of New York, as added by local law number 28 of the laws of 2008, is amended to read as follows:

§18-134 Annual report on non-governmental funding for parks. Beginning December 1, 2009, and annually thereafter, the commissioner shall submit a report to the council for the immediately preceding fiscal year on [funding] *funds* and [donations provided] *the value of goods donated* by non-governmental sources to the department for parks under the jurisdiction of the department. Such report shall include (i) the amount of [funding allocated] *funds* and the value of goods donated by organizations or individuals to the department by park where such funding or goods are designated for a particular park, or by service district or borough if there is no such designation, provided that such [funding and value is] *funds or goods are valued at* more than five thousand dollars; and (ii) [the amount of funding allocated and the value of goods donated by organizations and individuals for each park where such information is provided by such organization or individual exempt under applicable provisions of the Internal Revenue Code who file IRS Form 990 based on their having annual gross receipts of more than twenty-five thousand dollars, or for each service district or borough where such information is so designated] *where the department has entered into a conservancy arrangement, as defined by section 18-137 of this chapter, with a conservancy, as defined by section 18-137 of this chapter, to provide maintenance and operation services for a park or portion of a park under the jurisdiction of the department, the department shall require such entity to provide data to the department concerning the total amount of expenditures made by such entity for such park or portion of a park. The department shall require that any conservancy that enters into or renews a conservancy arrangement with the department after July 1, 2015, concerning a park or portion of a park under the jurisdiction of the department, provide the department with the data regarding its expenditures for such a park or portion of a park. Prior to July 1, 2015, the department shall, where practicable, seek such information from any conservancy with whom the department has an existing conservancy arrangement, provided that where the department is unable to obtain such information from such conservancy, it shall state the reason why such information was not able to be obtained.* Such report, to the extent [practical] *practicable*, shall list organizations and individuals [allocating such funds or] donating [such] *funds and goods to the department*, provided that any such organization or individual [allocating such] *donating funds or [donating such] goods anonymously shall be listed without identifying information.*

§ 2. This local law shall take effect immediately.

MARK LEVINE, *Chairperson*; DARLENE MEALY, FERNANDO CABRERA, JAMES G. VAN BRAMER, ANDREW COHEN, ALAN N. MAISEL, MARK TREYGER; Committee on Parks and Recreation, February 10, 2015.

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

Reports of the Committee on Recovery and Resiliency

Report for Int. No. 519-A

Report of the Committee on Recovery and Resiliency in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the distribution of localized emergency preparedness materials.

The Committee on Recovery and Resiliency, to which the annexed amended proposed local law was referred on October 22, 2014 (Minutes, page 3800), respectfully

REPORTS:

Introduction

On February 9, 2015, the Committee on Recovery and Resiliency, chaired by Council Member Mark Treyger, will hold a hearing to consider Proposed Int. No. 519-A and Proposed Int. No. 562-A.

The Committee previously considered Proposed Int. No. 519-A at a hearing on November 20th, 2014 and Proposed Int. No. 562-A at a hearing on December 16th, 2014. The Committee received testimony from representatives of the Office of Emergency Management (OEM), Office of Recovery and Resiliency, and other interested members of the public.

Background for Proposed Int. No. 519-A

The Office of Emergency Management 'Ready New York' campaign is meant to build awareness of emergency planning and the various types of emergencies that New Yorkers may face. It includes pamphlet guidebooks, public service announcements, a mobile app, educational events and other forms of outreach. The Ready New York Guides are available in print and online, in both pdf and, in some cases, audio format, on topics such as: General Preparedness, Pandemic Flu, Hurricanes, Flooding, Pets, Beat the Heat and books for children and teens. The guides are meant for citywide distribution.

The Hurricane guide includes information on all of the evacuation zones and evacuation center locations for the entire City, as part of a large foldout map. Locating individual blocks on the map may be difficult, but OEM does also provide a tool on its website where users can enter their address and view a map showing their address, whether an evacuation order is in effect, and where they can find the nearest evacuation shelter.

Readiness materials in other cities, when they exist, seem most commonly to be on general topics, such as earthquakes, hurricanes, tornadoes, flood, disease, et cetera, all of which are applicable to the entire City. This could be for planning efficiency or may be due to condensed city geography or similarity of risk profile. Variations do exist, however, and not all materials are divided by emergency. For instance, San Antonio's website has location specific information for responding to emergencies while in a school, workplace, high-rise building and mobile vehicle.

Additionally, some regions do have location-specific emergency preparedness materials. They seem to be most commonly used to relay information regarding flooding or evacuation. San Diego County, on its website, provides individualized tsunami maps, showing where flooding is likely to occur during a tsunami for each city within the county. The maps are focused on the coastal areas of those cities and show not only areas at risk for flooding, but also the locations of local evacuation centers, hospitals, tsunami evacuation routes and roads to avoid that might be closed due to flooding. Similarly, the City of Los Angeles also provides, on their website, tsunami information brochures for individual sections of the city. Philadelphia brings a localized approach to its general purpose evacuation plans. Extensive "mapbook" guides have been created for the evacuation of high rise buildings within two Philadelphia neighborhoods. The guides list individual buildings and the "rallying point" for people from that building in case of an emergency, as well as mass transit and accessibility information for the area near that rallying point. For the entire city, a general evacuation map has been created, with evacuation zones and evacuation routes noted, for each six different divisions within Philadelphia. The maps are made available individually online, or bound with the other neighborhood maps.

Proposed Int. No. 519-A

Proposed Int. No. 519-A amends title 30 of the administrative code to add a new section 30-114, which would require the Office of Emergency Management to create and distribute localized emergency preparedness materials for coastal storms or hurricanes. The materials would focus on communities, limited to contiguous zip codes in a similar geographic area, in which there is a risk of evacuation due to a future coastal storm or hurricane. The materials would include information relevant to that community, such as the local evacuation zones, evacuation centers, the locations of police precincts and firehouses and any other information deemed relevant by the Commissioner of the Office of Emergency Management. The materials, once prepared, would be translated into the ten most commonly spoken languages within the relevant community for distribution both physically and online. This local law will take effect ninety days after enactment.

Changes to Proposed Int. No. 519-A

In addition to various technical edits, Proposed Int. No. 519-A has been substantively amended in the following manner:

- The type of emergency condition for which such localized materials will be prepared has been specified to be coastal storms or hurricanes.

- The localized materials are now required to identify the local patrol precincts and firehouses but no longer required to identify evacuation routes, or volunteer ambulance and fire companies. Further, the inclusion of contact information for charitable organizations that may provide services after a disaster is now at the discretion of the Commissioner

- The minimum number of languages that the localized materials must be translated into has been specified to be ten.

Background for Proposed Int. No. 562-A

In the aftermath of Hurricane Sandy, many charitable organizations, be they not-for-profits or houses of worship, exceeded their role as social service providers by supplementing the emergency and recovery operations of city agencies and federal aid workers. There were reports of such groups offering emergency supplies, meals, medical care, and referrals to alternate housing, as well as providing for public safety, and distributing vital information. The Special Initiative for Rebuilding and Resiliency final report notes that "the immediate aftermath of Sandy reinforced the importance of having community services and facilities in times of crisis."

Yet, stories on the damages caused to charitable organizations and houses of worship by Hurricane Sandy have been well reported in the media and elsewhere, and they are consistent with the assessment provided by the SIRR final report. Some qualified not-for-profits received assistance in the form of government funding for their recovery efforts but that was not necessarily sufficient to meet these groups' needs and the recovery of houses of worship has been even more complicated. Due to federal restrictions on providing direct aid to religious institutions, houses of worship damaged by Hurricane Sandy have generally had to rely on other sources of funding and support to recover their losses.

Proposed Int. No. 562-A

Proposed Int. No. 562-A requires, through an unconsolidated law, the formation of a Hurricane Sandy charitable organization and house of worship recovery task force. This task force would be required to study the recovery and rebuilding of not-for-profit corporations and houses of worship, in areas affected by Sandy.

The bill requires the task force to consist of nineteen members, to be appointed within sixty days of enactment and serve without compensation. The Director of the Office of Recovery and Resiliency and the Commissioner of the Office of Emergency Management, or their designees, would both serve ex officio. A further eight members would be appointed by the Mayor, with the condition that at least one of them be affiliated with an organization that participated in Sandy relief work. Nine members would be appointed by the Speaker of the Council, with the condition that at least two of them be affiliated with organizations that participated in Sandy relief work and that there be at least one resident of each borough. At the task force's first meeting, a chairperson would be selected from among its members by majority vote.

The bill requires that no later than eight months after the effective date, the task force shall submit a report of its findings to the Mayor and the Speaker of the Council. Such report would include, at minimum, a description of the role played by not-for-profit corporations and houses of worship after Hurricane Sandy. It would also include an analysis of the damage and losses suffered by those entities, whether physical or financial, and to what extent those entities have recovered. It would further include a description of possible sources of recovery and rebuilding aid previously or currently available to such entities, as well as an analysis of the extent to which such aid was utilized. Finally, the bill requires that the report include recommendations on how to meet any remaining rebuilding or recovery need, what role, if any, City agencies might play in facilitating that and how best to prepare and utilize these entities in planning for future natural disasters. Sixty days after the submission of the report, the task force would cease to exist.

Changes to Proposed Int. No. 562-A

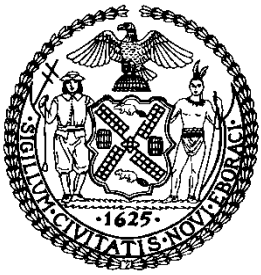
In addition to various technical edits, Proposed Int. No. 562-A has been substantively amended in the following manner:

- The task force is now called the Hurricane Sandy charitable organization and house of worship recovery task force

- The term 'charitable organization' is now used to identify the entities meant to be studied by the task force and that term has been defined as a corporation or other entity that is formed for one or more of the charitable purposes enumerated in section 102(a)(3-b) of the Not-for-Profit Corporation law.

- The membership of the task force has been amended as follows: the total number of members has been increased from 11 to 19, the Commissioner of the Office of Emergency Management has been included ex officio, the Mayor will now appoint eight members instead of five, the Speaker of the Council will now appoint nine members instead of five, among the appointments made by the Speaker of the Council there must be at least one resident of each borough and the previous experience requirements have been replaced with a requirement that a minimum of at least one of the Mayor's appointments and two of the Speaker's appointments be a person affiliated with a charitable organization which participated in Sandy relief work.

(The following is the text of the Fiscal Impact Statement for Int. No. 519-A:)



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO.: 519-A
 COMMITTEE:
 Recovery & Resiliency

TITLE: A local law to amend the administrative code of the city of New York, in relation to the distribution of localized emergency preparedness materials.

SPONSOR(S): Council Members Treyger, Chin, Constantinides, Cumbo, Koo, Richards, Crowley and Mendez.

SUMMARY OF LEGISLATION:

This legislation would require that the Commissioner of the Office of Emergency Management (“OEM”) develop and disseminate localized emergency preparedness materials for communities that are at risk of evacuation due to coastal storms or hurricanes. The information in the materials would be specific to a zip code or contiguous zip codes in a geographic area. The Commissioner would include any information deemed relevant, which might include any local evacuation zones, evacuation centers, contact information for local precincts or firehouses, and contact information for any charitable organization or not-for-profit organization that has the potential to provide services. The preparedness materials would be distributed within the communities they are prepared for in the top ten most commonly spoken languages and will be available online.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation because the materials can be prepared and printed by OEM with existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Kate Seely-Kirk, Principal Legislative Financial Analyst, New York City Council Finance Division

ESTIMATED REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division
 Rebecca Chasan, Assistant Counsel, New York City Council Finance Division
 Tanisha Edwards, Chief Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 519 was introduced to the Council on October 22, 2014 and referred to the Committee on Recovery and Resiliency. The Committee on Recovery and Resiliency, jointly with the Committee on Fire and Criminal Justice Services, held a hearing on Intro. No. 519 on November 20, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 519-A, will be voted on by the Committee on

Recovery and Resiliency on February 9, 2015. Upon successful vote by the Committee, Proposed Intro. No. 519-A will be submitted to the full Council for a vote on February 12, 2015.

DATE PREPARED: February 6, 2015

(For text of Int No. 562-A and its Fiscal Impact Statement, please see the Report of the Committee of Recovery and Resiliency for Int No. 562-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int Nos. 519-A and 562-A.

(The following is the text of Int. No. 519-A:)

Int. No. 519-A

By Council Members Treyger, Chin, Constantinides, Cumbo, Koo, Richards, Crowley, Mendez, Dromm, Eugene, Gentile, Greenfield, Kallos, Lander and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to the distribution of localized emergency preparedness materials.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 30 of the administrative code of the city of New York is amended by adding a new section 30-114 to read as follows:

§ 30-114 Localized emergency preparedness materials. The commissioner shall develop and disseminate localized emergency preparedness materials for communities in which there is a risk of evacuation due to coastal storms or hurricanes to increase public awareness as to the appropriate responses by members of the public to such risk and of the resources available during such coastal storm or hurricane within and near such communities. Such materials shall:

- a. be limited to information relevant to that community, as identified by zip code or contiguous zip codes in a geographic area;
- b. identify any local evacuation zones, evacuation centers or other such geographic information relevant to an evacuation;
- c. identify and provide contact information for any local patrol precinct or firehouse;
- d. at the discretion of the commissioner, identify and provide contact information for any charitable organization or not-for-profit organization that the commissioner identifies as having the potential to provide services or materials that may be beneficial to such community after a coastal storm or hurricane;
- e. provide any other information deemed relevant by the commissioner; and
- f. be distributed within communities at risk of evacuation due to coastal storms or hurricanes in the top ten most commonly spoken languages within each such community as determined by the commissioner in consultation with the department of city planning, and be made available online.

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

MARK TREYGER, Chairperson; ROSIE MENDEZ, MARGARET S. CHIN, DONOVAN J. RICHARDS, CARLOS MENCHACA, ERIC A. ULRICH, STEVEN MATTEO; Committee on Recovery and Resiliency, February 9, 2015.

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

Report for Int. No. 562-A

Report of the Committee on Recovery and Resiliency in favor of approving and adopting, as amended, a Local Law in relation to the creation of a Hurricane Sandy charitable organization and house of worship recovery task force.

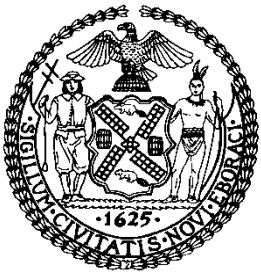
The Committee on Recovery and Resiliency, to which the annexed amended proposed local law was referred on November 25, 2014 (Minutes, page 4171), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Recovery and Resiliency for Int No. 519-A printed above in these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of the Fiscal Impact Statement for Int. No. 562-A:)



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
 FISCAL IMPACT STATEMENT
 PROPOSED INTRO. NO.: 562-A
 COMMITTEE:
 Recovery & Resiliency

TITLE: A local law to amend the administrative code of the city of New York, in relation to the creation of a Hurricane Sandy charitable organization and house of worship recovery task force.

SPONSOR(S): Council Members Treyger, Cabrera, Deutsch, Eugene, Gentile, Koslowitz, Richards, Chin, Greenfield, Garodnick, Lander, Cohen and Ulrich.

SUMMARY OF LEGISLATION:

This legislation would mandate the creation of a Hurricane Sandy charitable organization and house of worship recovery task force. Members of the task force would serve without compensation.

The task force would be charged with:

- Studying the recovery and rebuilding of charitable organizations operating in areas of the city affected by Hurricane Sandy;
- Making specific recommendations to the Mayor and Council for effective allocation of resources, knowledge, and technical support for recovery and rebuilding; and
- Making suggestions for how best to prepare and utilize such organizations for future natural disasters.

The task force would consist of eight members appointed by the Mayor; nine members appointed by the Speaker; the director of the Office of Recovery & Resiliency, in an ex-officio capacity; and the commissioner of the Office of Emergency Management, in an ex officio capacity.

Within eight months of the legislation’s enactment, the task force would be required to submit to the Mayor and Speaker a report containing its findings and recommendations. The task force would cease to exist sixty days after the submission of the report.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation because the taskforce members would serve without compensation and the required report can be prepared using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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

ESTIMATE PREPARED BY: Kate Seely-Kirk, Principal Legislative Financial Analyst, New York City Council Finance Division

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York City Council Finance Division
 Tanisha Edwards, Chief Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 562 was introduced to the Council on November 25, 2014 and referred to the Committee on Recovery and Resiliency. The Committee on Recovery and Resiliency held a hearing on Intro. No. 562 on December 16, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 562-A, will be voted on by the Committee on Recovery and Resiliency on February 9, 2015. Upon successful vote by the Committee, Proposed Intro. No. 562-A will be submitted to the full Council for a vote on February 12, 2015.

DATE PREPARED: February 6, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 562-A:)

Int. No. 562-A

By Council Members Treyger, Cabrera, Deutsch, Eugene, Gentile, Koslowitz, Richards, Chin, Greenfield, Garodnick, Lander, Cohen, Dromm, Kallos, Maisel, Williams and Ulrich.

A Local Law in relation to the creation of a Hurricane Sandy charitable organization and house of worship recovery task force

Be it enacted by the Council as follows:

Section 1. Hurricane Sandy charitable organization and house of worship recovery task force. a. There shall be a task force to study: (1) the recovery and rebuilding of charitable organizations operating in areas of the city affected by Hurricane Sandy; (2) to make specific recommendations to the mayor and council for effective allocation of resources, knowledge, and technical support for such recovery and rebuilding; and, (3) how best to prepare and utilize such organizations for and in future natural disasters. For the purposes of this local law, the term “charitable organization” means a corporation or other entity that is formed for one or more of the charitable purposes enumerated in subparagraph 3-b of paragraph a of section 102 of the not-for-profit corporation law.

b. Such task force shall consist of nineteen members as follows:

(1) Eight members shall be appointed by the mayor, provided that at least one such member shall be an employee, member or director of, or otherwise affiliated with, a charitable organization that participated in Hurricane Sandy relief work;

(2) Nine members shall be appointed by the speaker of the council, provided that (i) at least two such members shall be employees, members or directors of, or otherwise affiliated with, a charitable organization that participated in Hurricane Sandy relief work and (ii) such nine members shall include at least one resident of each borough;

(3) The director of the office of recovery and resiliency, or his or her designee, shall serve ex officio; and

(4) The commissioner of emergency management, or his or her designee, shall serve ex officio.

c. The members to be appointed by the mayor and the speaker of the council shall be appointed within sixty days of the enactment of this local law.

d. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

e. Any vacancy in the membership of the task force shall be filled in the same manner as the original appointment.

f. Members of the task force shall serve without compensation and shall meet as necessary.

g. No later than eight months after the effective date of this local law, the task force shall submit to the mayor and the speaker of the council a report, which may refer to existing reports or other sources of information, that shall include the findings and recommendations of the task force. Those findings and recommendations shall include, at a minimum, the following:

(1) A description of the role played by charitable organizations in the aftermath of Hurricane Sandy and the services provided by them to the community, whether individually or in coordination with other entities;

(2) An analysis of the damages and losses suffered by charitable organizations as a result of Hurricane Sandy, including damages to physical structures and funding losses, and an analysis of the extent to which such damages have been repaired or such losses recovered;

(3) An analysis of possible sources of recovery and rebuilding aid currently or formerly available to charitable organizations as a result of Hurricane Sandy and the extent to which that aid has been utilized, as well as a description of the restrictions, if any, on aid programs that have prevented charitable organizations from receiving such aid;

(4) Recommendations on how best to meet any existing recovery and rebuilding needs, as identified pursuant to paragraph (2) of this subdivision, of charitable organizations, including a consideration of when actions could be taken by city agencies to facilitate such recovery and rebuilding and what actions might be most beneficial; and

(5) Recommendations on how the city could best utilize the efforts of charitable organizations in the aftermath of future natural disasters and what steps can be taken in advance to facilitate such efforts, including a consideration of the use of pre-disaster contractual agreements with such charitable organizations for the use of their facilities or services in future recovery efforts, and what steps could be taken by the city to improve the resiliency of the facilities of charitable organizations.

h. The task force shall cease to exist sixty days after the submission of the report required by subdivision g of this local law.

§ 2. This local law shall take effect immediately.

MARK TREYGER, *Chairperson*; ROSIE MENDEZ, MARGARET S. CHIN, DONOVAN J. RICHARDS, CARLOS MENCHACA, ERIC A. ULRICH, STEVEN MATTEO; Committee on Recovery and Resiliency, February 9, 2015.

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

Reports of the Committee on Rules, Privileges and Elections

Report for M-224

Report of the Committee on Rules, Privileges and Elections approving the appointment by the Mayor of Wellington Z. Chen as a member of the New York City Landmarks Preservation Commission.

The Committee on Rules, Privileges and Elections to which the annexed communication was referred on January 22, 2015 (Minutes, page 147) and was coupled with the resolution shown below, respectfully

REPORTS:

Topic I: *New York City Landmark Preservation Commission – (Candidates for appointment, upon the advice and consent of the Council)*

- WELLINGTON CHEN [M 0224-2015]
- KIM VAUSS [M 0225-2015]

In a letter dated January 16, 2015, Mayor Bill de Blasio formally submitted the names of Wellington Chen and Kim Vauss to the Council of the City of New York, for its advice and consent, regarding their appointment to the Landmark Preservation Commission.

Pursuant to the *New York City Charter* (“*Charter*”) § 3020, the New York City Landmarks Preservation Commission (“LPC”) is responsible for establishing and regulating landmarks, portions of landmarks, landmark sites, interior landmarks, scenic landmarks, and historic districts. The LPC also regulates alterations to designated buildings.

The LPC consists of eleven (11) members. The membership of this commission must include at least three architects, one historian qualified in the field, one city planner or landscape architect, and one realtor; and shall include at least one resident from each of the five boroughs. The mayor appoints the members of the LPC with the advice and consent of the Council. When appointing a member of this commission, who must be an architect, historian, city planner, or landscape architect; the mayor may consult with the Fine Arts Federation of New York or any other similar organization, in the course of making this appointment. These members are appointed for staggered three-year terms. Each member continues to serve as a commissioner until his or her successor is appointed and qualified. The mayor also designates one of the members to serve as Chair of the LPC, and designates another member to serve as Vice Chair of the LPC. These members of the LPC shall serve until a successor is designated. The members of the LPC, with the exception of the Chair, serve without compensation, but are reimbursed for necessary expenses incurred in the course of performing their duties. The current Chair's salary is \$192,198.

The LPC must appoint a full-time executive director, to perform duties of the LPC. The LPC may also employ technical experts and other employees, necessary to perform its duties, within the appropriations therefor.

As enumerated in the *Charter*, the LPC is required to provide opportunities for comment in advance of any hearing, regarding a proposed landmark designation, landmark site, interior landmark, scenic landmark, or historic district.¹ Notices of proposed designations must be sent to the New York City Planning Commission (“CPC”), all affected Community Boards, and the Office of the Borough President, whose borough, which the property or district is located.

The LPC also has a duty to provide certain notices to the New York City Council (“the Council”). The LPC is required to file a copy of any designation with the Council and the CPC, within ten days of making the designation. Furthermore, within 60 days after such filing, CPC must hold a public hearing on any such designation of a historic district and must submit a report to the Council, with respect

to the relation of any such designation to the *Zoning Resolution*, projected public improvements, and any plans for the development, growth, improvement or renewal of the area involved, whether it relates to the designation of a historic district or a landmark. The CPC must include in this report, its recommendation, if any, for the Council's action with respect to the historic district designation.

The Council may modify or disapprove of any LPC designation by a majority vote, within 120 days, from date that a copy of such designation is filed with the Council, provided that either CPC has submitted the required report on the designation or at least sixty days has elapsed since the filing of the designation with the Council. The Council's vote shall be filed with the mayor by the Council. The mayor has five days following the filing of the Council's vote to disapprove of the Council's action. If the mayor fails to disapprove of the Council's action during this time, the Council's action becomes final. If the mayor disapproves of the Council's action, the mayor must file his/her disapproval, with the Council. Thereafter, the Council may choose to override the mayor's disapproval, within ten days of the filing of the mayor's disapproval, with a two-thirds vote of the Council.

In addition to the designation of landmarks, pursuant to *Administrative Code* § 25-303(i), the LPC also has the ability to make recommendations to the CPC, at any time, regarding amendments to the provisions in the *Zoning Resolution*, which are applicable to improvements in the historic districts. Moreover, pursuant to *Administrative Code* § 25-307, the LPC is also responsible for determining whether a proposed alteration or demolition, affecting a landmark, is consistent with the *Landmarks Preservation and Historic Districts* chapter of the *Administrative Code*. In instances where the LPC determines that the proposed change complies with the *Code*, it may grant a *Certificate of Appropriateness*. Otherwise, LPC may deny the applicant's request.

The Hardship Appeals Panel operates independently of the LPC and reviews appeals from LPC determinations denying applications for *Certificates of Appropriateness*, on the grounds of hardship, to demolish, alter, or reconstruct improvements. However, this panel only has the power to review applications involving tax-exempt properties. This panel consists of five members, whom are also appointed by the mayor, with the Council's advice and consent.

If appointed to the LPC, Mr. Chen, a Queens resident, will be eligible to complete the remainder of a three-year term that expires on June 28, 2017. If she is appointed, Ms Vauss, a Bronx resident, will serve the remainder of a three year term expiring on June 28, 2017.

Copies of the following are annexed to this briefing paper: the candidates' résumés, questions with the candidates' associated answers, regarding the proposed appointment to LPC, and the related message.

Topic II: *New York City Art Commission – (Mayor's nominee for appointment upon advice and consent of the Council)*

- HANK WILLIS THOMAS [M 0226-2015]

The New York City Art Commission, also known as the Public Design Commission² (“*Commission*”) reviews permanent works of art, architecture and landscape architecture proposed on or over City-owned property. Projects include construction, renovation or restoration of buildings, such as museums and libraries; creation or rehabilitation of parks and playgrounds; installation of lighting and other streetscape elements; and design, installation and conservation of artwork.³

The Commission itself does not contract for any artwork, nor does it select contractors, negotiate fees, or otherwise involve itself in the selection or approval of contracts. The Commission brings its expertise to the process by reviewing submitted plans or work in accordance with standards enumerated in the *Charter*. Commission members have no say in what projects are initiated, or how City funds are allocated. The *Charter* states that the Commission has general advisory oversight over all works of art belonging to the City, and advises agencies having jurisdiction over them as to methods and procedures for their proper maintenance. [*Charter* § 857 (a).]

The Commission is composed of the Mayor or his representative, the President of the Metropolitan Museum of Art, the President of the New York Public Library, the President of the Brooklyn Museum, one painter, one sculptor, one architect, one landscape architect, all of whom shall be residents of the City, and three other residents of the City who cannot be painters, sculptors, architects, landscape architects, or active members of any other profession in the fine arts. *Charter* § 851 (a). The Mayor and the museum and library presidents serve in an ex-officio capacity. Section 31 of the *Charter* states that the Council performs an advice and consent review of mayoral appointees for membership on the Commission. The Council does not review ex-officio members. [*Charter* § 851 (a).]

The appointive members whose service is not ex-officio are chosen from a list submitted by the Fine Arts Federation of not less than three times the number to be appointed. If the Federation fails to present a list of nominees within three months from the time when a vacancy occurs, the Mayor may appoint an individual without

such input. In case the Mayor fails to appoint within one year from the time when a vacancy occurs, the Commission is authorized to fill such vacancy for any balance of the un-expired term without the Council's advice and consent review. [*Charter* § 851 (b).]

All members serve on the Commission without compensation. Members serve for three-year terms, or until a successor has been appointed and qualified. [*Charter* § 851 (b).]

Upon appointment by the Mayor with the advice and consent of the Council, Mr. Thomas, a resident of Manhattan, will fill a vacancy and serve as the "Painter" Member for the remainder of a three-year term that expires on December 31, 2017. Copies of his résumé and report/resolution are annexed to this Briefing paper.

PROJECT STAFF

Jason Adolfo Otaño, Managing Counsel
Charles W. Davis III, Director
Diandra Johnson, Legislative Investigator
Diana Arreaga, Legislative Clerk

¹ Landmarks are not always buildings. A landmark may be a bridge, a park, a water tower, a pier, a cemetery, a building lobby, a sidewalk clock, a fence, or even a tree. A property or object is eligible for landmark status when at least part of it is thirty years old or older.

² On July 21, 2008, Mayor Michael R. Bloomberg issued Executive Order No. 119, which changed the name of the Art Commission of the City of New York to the Public Design Commission of the City of New York, except in court documents, contracts and any other situation where the name "Art Commission" is legally required.

³ <http://www.nyc.gov/html/artcom/html/about/about.shtml>

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee Kim Vauss [M-225] and nominee Hank Willis Thomas [M-226], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-225 and M-226 printed in these Minutes; For nominee Wellington Chen [M-224], please see immediately below:)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 3020 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Wellington Z. Chen as a member of the New York City Landmarks Preservation Commission to serve the remainder of a three-year term that expires on June 28, 2017.

This matter was referred to the Committee on January 22, 2015.

Accordingly, this Committee recommends its adoption.

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

Res. No. 582

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF WELLINGTON Z. CHEN AS A MEMBER OF THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and 3020 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Wellington Z. Chen as a member of the New York City Landmarks Preservation Commission to serve the remainder of a three-year term that expires on June 28, 2017.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, February 12, 2015. *Other Council Members Attending: Van Bramer.*

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 M-225

Report of the Committee on Rules, Privileges and Elections approving the appointment by the Mayor of Kim Vauss as a member of the New York City Landmarks Preservation Commission.

The Committee on Rules, Privileges and Elections to which the annexed communication was referred on January 22, 2015 (Minutes, page 148) and was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-224 printed above in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 3020 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Kim Vauss as a member of the New York City Landmarks Preservation Commission to serve the remainder of a three-year term that expires on June 28, 2017.

This matter was referred to the Committee on January 22, 2015.

Accordingly, this Committee recommends its adoption.

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

Res. No. 583

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF KIM VAUSS AS A MEMBER OF THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and 3020 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Kim Vauss as a member of the New York City Landmarks Preservation Commission to serve the remainder of a three-year term that expires on June 28, 2017.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, February 12, 2015. *Other Council Members Attending: Van Bramer.*

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 M-226

Report of the Committee on Rules, Privileges and Elections approving the appointment by the Mayor of Hank Willis Thomas as a member of the New York City Art Commission.

The Committee on Rules, Privileges and Elections to which the annexed communication was referred on January 22, 2015 (Minutes, page 148) and was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M-224 printed above in these Minutes)

The Committee on Rules, Privileges and Elections, which was referred to on January 22, 2015, respectfully reports:

Pursuant to §§ 31 and 851 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Hank Willis Thomas as a member of the New York City Art Commission to serve for the remainder of a three-year term that expires on December 31, 2017.

Accordingly, this Committee recommends its adoption.

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

Res. No. 584

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF HANK WILLIS THOMAS, AS A MEMBER OF THE NEW YORK CITY ART COMMISSION.

By Council Member Lander.

RESOLVED, that pursuant to §§ 31 and 851 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Hank Willis Thomas as a member of the New York City Art Commission for the remainder of a three-year term that expires on December 31, 2017.

BRADFORD S. LANDER, *Chairperson*; INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, MARGARET S. CHIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, RAFAEL L. ESPINAL, Jr., MARK LEVINE, VINCENT M. IGNIZIO, MELISSA MARK-VIVERITO; Committee on Rules, Privileges and Elections, February 12, 2015. *Other Council Members Attending: Van Bramer.*

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 Transportation

Int. No. 615-A

Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to allowing the taxi and limousine commission to consider improved trouble lights for use in licensed vehicles.

The Committee on Transportation, to which the annexed amended proposed local law was referred on January 7, 2015 (Minutes, page 134), respectfully

REPORTS:

INTRODUCTION

On February 10, 2015, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a hearing on Proposed Int. No. 615-A, which would allow the Taxi and Limousine Commission (TLC) to consider improved trouble lights for use in licensed vehicles. The first hearing on this legislation was on January 12, 2015, at which time the Committee heard testimony from representatives of the TLC, as well as other interested advocates and stakeholders. Following the hearing, technical amendments were made to the bill.

BACKGROUND

According to a United States Department of Labor study, taxi drivers are 20 times more likely than other workers to be murdered on the job.¹ Assaults on taxi and for-hire-vehicle drivers remain a serious concern in New York City. In October 2013, a taxi driver was assaulted with a box cutter and punched by an angry passenger.² In June 2014, a yellow taxi driver was assaulted by a passenger with a skateboard. It was reported that the driver suffered a “fractured nose, facial cuts, and swelling so severe that he can’t open his left eye.”³ In August 2014, two for-hire vehicle drivers were killed in the Bronx in separate incidents, increasing fears of violence among many of the City’s livery drivers.⁴ In November 2014, one livery car driver was shot and another was stabbed during two separate robberies.⁵

The Administrative Code of the City of New York (the Code) requires all taxis and for-hire vehicles to have “trouble lights” installed on the outside of the vehicle that a driver can activate to alert passing police officers and other drivers that they are under attack or otherwise in danger. At least one driver has alleged in a recent published report that the trouble lights are not as effective as they could be as police officers do not notice them.⁵ Currently, the Code requires that trouble lights be of a “lollipop” design. This bill would remove that limitation and allow TLC to designate the type of trouble light to be installed.

ANALYSIS

Section one of Int. No. 615-A would amend paragraphs one and two of subdivision c of section 19-508 of the Code. Paragraph one would be amended to add language requiring the TLC to designate by rule the type of device to be used as a trouble light. Paragraphs one and two would be amended to remove language requiring trouble lights to be “turn signal type ‘lollipop’ lights” and removing references to “bulbs.”

Section two of Int. No. 615-A would state that the local law would take effect 90 days after its enactment into law.

UPDATE

On February 10, 2015, the Committee on Transportation passed Int. No. 615-A by a vote of twelve in the affirmative and zero in the negative, with zero abstentions.

¹ U.S. Department of Labor, OSHA Fact Sheet: Preventing Violence Against Taxi and For-Hire Drivers (2010), available at <https://www.osha.gov/Publications/taxi-driver-violence-factsheet.pdf>.

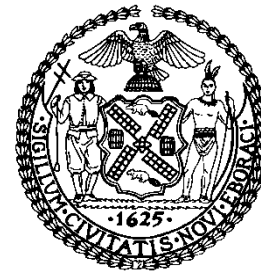
² Thomas Tracy, *Man attacks, slashes cab driver after trip from Bowery to the Bronx*, Oct. 23, 2013, N.Y. DAILY NEWS, available at <http://www.nydailynews.com/new-york/cab-driver-attacked-trip-bowery-bronx-article-1.1493763>.

³ Pete Donohue, *Hate-filled taxi passenger smacks driver in the fact with skateboard after asking his nationality*, June 4, 2014, N.Y. DAILY NEWS, available at <http://www.nydailynews.com/new-york/nyc-crime/taxi-driver-smacked-face-skateboard-hate-filled-passenger-article-1.1816207>.

⁴ Winnie Hu and Nate Schweber, *Livery Drivers are on Edge after two killings this month in the Bronx*, Aug. 18, 2014, N.Y. TIMES, available at http://www.nytimes.com/2014/08/19/nyregion/livery-drivers-are-on-edge-after-two-killings-this-month-in-the-bronx.html?_r=0.

⁵ *Cab drivers call for change to taxi ‘trouble light’ emergency system*, Aug. 15, 2014, Bronx News 12, available at <http://bronx.news12.com/news/cab-drivers-call-for-change-to-taxi-trouble-light-emergency-system-1.9071583>.

(The following is the text of the Fiscal Impact Statement for Int. No. 615-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO.: 615-A
COMMITTEE:
Transportation

TITLE: A local law to amend the administrative code of the city of New York, in relation to allowing the taxi and limousine commission to consider improved trouble lights for use in licensed vehicles.

SPONSOR(S): Council Members Rodriguez, Chin, Dickens, Levine, Mendez and Rose

SUMMARY OF LEGISLATION: In an effort to improve safety and prevent violence against taxi and for-hire vehicle drivers, this legislation would allow the Taxi and Limousine Commission to consider improved trouble lights for use in licensed vehicles in place of the current two turn-signal type “lollipop” lights used for distress signaling.

EFFECTIVE DATE: This local law would take effect 90 days after its enactment into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: Because the vehicle owners would be responsible for the cost of installing any additional types of trouble lights approved by the Taxi and Limousine Commission, it is anticipated that the enactment of this legislation would have no impact on the City’s expenditures.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

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

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, New York City Council Finance Division

Rebecca Chasan, Assistant Counsel, New York City Council Finance Division
 Tanisha Edwards, Chief Counsel, New York City Council Finance Division

LEGISLATIVE HISTORY: Intro. No. 615 was introduced to the Council on January 7, 2015 and referred to the Committee on Transportation. The Committee on Transportation held a hearing on Intro. No. 615 on January 12, 2015 and the legislation was laid over. Intro. No. 615 was subsequently amended, and the amended version, Proposed Intro. No. 615-A will be voted on by the Committee on Transportation on February 10, 2015. Upon successful vote by the Committee, Proposed Intro. No. 615-A will be submitted to the full Council for a vote on February 12, 2015.

DATE PREPARED: January 15, 2015.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 615-A:)

Int. No. 615-A

By Council Members Rodriguez, Chin, Dickens, Levine, Mendez, Rose, Kallos, Vallone, Dromm, Greenfield, Lander and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to allowing the taxi and limousine commission to consider improved trouble lights for use in licensed vehicles.

Be it enacted by the Council as follows:

Section 1. Paragraphs one and two of subdivision c of section 19-508 of the administrative code of the city of New York are amended to read as follows:

1. For purposes of this section, the term "trouble light" shall mean a help or distress signaling light system consisting of [two turn signal type "lollipop" lights] *a device or devices as designated by the rules of the commission.*

2. Every for-hire vehicle or taxicab placed into operation shall carry a minimum of two spare [turn signal type "lollipop" lights] *trouble light devices* of a type approved by the commission. In the event that any authorized enforcement agent indicates to a for-hire vehicle or taxicab driver that the vehicle's trouble light is defective, such driver shall have the opportunity to return such defective trouble light to proper working order by replacing *it* [one or both bulbs], or by any other corrective action in the presence of such enforcement agent. If the replacement of a [bulb or bulbs] *trouble light device*, or any other corrective action, restores the trouble light to proper working order, no summons or notice of violation may be issued for operating a for-hire vehicle or taxicab with a defective trouble light. In the event that repair of the defective condition is not made in the presence of such enforcement agent and a summons or notice of violation is issued for a defective for-hire vehicle or taxicab trouble light, such summons or notice of violation shall be dismissed by the adjudicatory body before which such summons or notice of violation is heard if: (a) proof that repair of such defect was made within twenty-four hours of the issuance of the summons or notice of violation is provided to the adjudicatory body and (b) the vehicle was not used for hire during the period of time from when the summons or notice of violation was issued to the time the repair was made.

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

YDANIS A. RODRIGUEZ, *Chairperson*; DANIEL R. GARODNICK, JAMES VACCA, MARGARET S. CHIN, STEPHEN T. LEVIN, DEBORAH L. ROSE, JAMES G. VAN BRAMER, MARK S. WEPRIN, DAVID G. GREENFIELD, COSTA G. CONSTANTINIDES, CARLOS MENCHACA, I. DANEEK MILLER; Committee on Transportation, February 10, 2015. *Other Council Members Attending: Lander, Torres, Richards, Lancman and Levine.*

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>
Cathy Cirilo	27 East 3rd Street #6B New York, N.Y. 10003	2
Alisa Reich	226 East 3rd Street #1R	2

Darlenny DeLeon	New York, N.Y. 10009 334 West 22nd Street #16	3
Rebecca Best	New York, N.Y. 10011 3150 Broadway #20B	7
Veronica Moreno	New York, N.Y. 10027 934 East 215th Street	12
Daniel Cooper	Bronx, N.Y. 10469 1323 Ellison Avenue	13
Shauntel Johnson	Bronx, N.Y. 10461 488 East 163rd Street #4K	17
Eric James Murdy	Bronx, N.Y. 10451 22-44 Steinway Street #2	22
Eric Rigie	Queens, N.Y. 11105 2109 Steinway Street #3	22
Kassandra Velez	Queens, N.Y. 11105 84-35 Lander Street #2G	24
Jennifer Cortes	Queens, N.Y. 11435 1706 Woodbine Street #3L	34
Rebecca Glynn	Queens, N.Y. 11385 50 Stuyvesant Avenue	36
Victoria Langston	Brooklyn, N.Y. 11221 708 Evergreen Avenue	37
Harry Asher Feigen	Brooklyn, N.Y. 11207 751 Union Street #2L	39
Jayvee Rhonda	Brooklyn, N.Y. 11215 660 East 98th Street #10C	42
Catherine Medina	Brooklyn, N.Y. 11236 1290 Ocean Avenue #3C	45
	Brooklyn, N.Y. 11230	

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Chue Keung Mock	45 Allen Street #13C New York, N.Y. 10002	1
Reinaldo Pabon	1763 2nd Avenue #34H New York, N.Y. 10128	5
Robert Barnes	587 Tinton Avenue Bronx, N.Y. 10455	8
Milagros E. Melendez	4305 Broadway #1 New York, N.Y. 10033	10
Nicole Pino	185 Audubon Avenue #55 New York, N.Y. 10033	10
Janira Valenzuela	252 Wadsworth Avenue #4C New York, N.Y. 10033	10
Maribel Rivera	75 West Mosholu Parkway North #6K Bronx, N.Y. 10467	11
Larisa Lipovetskaya	140 Alcott Place #26C Bronx, N.Y. 10475	12
Regina Simmons	4220 Hutchinson River Parkway East #18D Bronx, N.Y. 10475	12
Carlton Snaith	4220 Hutchinson River Parkway East #24D Bronx, N.Y. 10475	12
Karen Cash-Felder	3030 Cruger Avenue Bronx, N.Y. 10467	15
Norma Iris Rosado	1323 West Farms Road 41E Bronx, N.Y. 10459	17
Deborah L. May	1430 Thieriot Avenue #6L Bronx, N.Y. 10460	18
Veronica Diaz	12-12 117th Street College Point, N.Y. 11356	19
Timur Benjamin	23-35 Broadway #1C Queens, N.Y. 11106	22
Nicholas Carayannis	31-35 Crescent Street #1N Queens, N.Y. 11106	22
Laura Hughes	21-35 76th Street Jackson Heights, N.Y. 11370	22
Kenneth Mankowitz	83-55 Woodhaven Blvd #5J Queens, N.Y. 11421	30
Ventrice Bowen	156-91 North Conduit Avenue Queens, N.Y. 11434	31
Kerline Jacob	253-56 148th Drive #2 Queens, N.Y. 11422	31

Sarong Bingley	1587 Pacific Street Brooklyn, N.Y. 11213	36
Shelia Clark	355 Macon Street Brooklyn, N.Y. 11233	36
Edison Stewart	1309 Sterling Place Brooklyn, N.Y. 11213	36
Cheryl N. Wright	239 Vernon Avenue Brooklyn, N.Y. 11206	36
Amina Halls	355 Grant Avenue Brooklyn, N.Y. 11208	37
Cheryl A. Guilford	824 Macon Avenue Brooklyn, N.Y. 11233	41
Tracy Lilley	325 Remsen Avenue Brooklyn, N.Y. 11212	41
Toby Perl	1972 51st Street Brooklyn, N.Y. 11204	44
Edward Ninive	2156 East 34th Street #1 Brooklyn, N.Y. 11234	46
William L. Corey	140 Bay 32nd Street 32 Brooklyn, N.Y. 11214	47
Vincent Colonna	501 Jewett Avenue Staten Island, N.Y. 10302	49
Sandra Galante	39 Franklin Place Staten Island, N.Y. 10314	50
Carol LaBruzzo	132 Rockville Avenue Staten Island, N.Y. 10314	50
Michael J. Sarubbi	27 Seguire Place Staten Island, N.Y. 10312	51
Janice Sypniewski	230 Wood Avenue Staten Island, N.Y. 10307	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) | M 224 & Res 582- | Wellington Z. Chen - As a member of the New York City Landmarks Preservation Commission. |
| (2) | M 225 & Res 583 - | Kim Vauss - As a member of the New York City Landmarks Preservation Commission. |
| (3) | M 226 & Res 584 - | Hank Willis Thomas - As a member of the New York City Art Commission |
| (4) | Int 384-A - | An annual report on non-governmental funding for New York city parks. |
| (5) | Int 519-A - | Distribution of localized emergency preparedness materials. |
| (6) | Int 562-A - | Creation of a Hurricane Sandy charitable organization and house of worship recovery task force. |
| (7) | Int 615-A - | Allowing the taxi and limousine commission to consider improved trouble lights for use in licensed vehicles. |
| (8) | Int 655 - | Sale of tax liens. |
| (9) | Res 570 - | Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (10) | Res 571 - | Concerning the establishment of the South Shore Business Improvement District in the Borough of Staten Island. |
| (11) | Resolution approving various persons Commissioners of Deeds. | |

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

Affirmative – Arroyo, Barron, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, Mealy, Menchaca, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rose, Rosenthal, Torres, Treyger, Ulrich, Vacca,

Vallone, Weprin, Williams, Wills, Ignizio, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **51**.

The General Order vote recorded for this Stated Meeting was 51-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **M-225 & Res No. 583:**

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

Negative – Matteo and Ignizio – **2**.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 384-A, 519-A, 562-A, 615-A, and 655.

INTRODUCTION AND READING OF BILLS

Int. No. 641

By Council Members Chin, Rodriguez, Van Bramer, Arroyo, Cohen, Constantinides, Eugene, Gibson, Johnson, Koo, Rose, Vallone and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a comprehensive study regarding pedestrian and bicyclist safety on truck routes.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York section is amended by adding a new section 19-192 to read as follows:

§ 19-192 Study of safety on truck routes. a. For the purposes of this section, the following terms have the following meanings:

1. "Exclusive pedestrian phase" means a pedestrian control signal that allows pedestrians an exclusive interval at which to completely cross using any of the existing crosswalks within the intersection while traffic is stopped in all directions;

2. "Leading pedestrian interval" means a pedestrian control signal that displays a walk indication before a green indication for the parallel direction of traffic;

3. "Traffic calming device" means any device, not governed by the manual on uniform traffic control devices, including, but not limited to, speed humps, curb extensions, traffic diverters, median barriers and raised walkways, installed on a street and intended to slow, reduce or alter motor vehicle traffic to improve safety for pedestrians and bicyclists; and

4. "Truck route" means any street designated by rule by the department as a truck route.

b. Every five years, the department shall conduct a study regarding the safety of pedestrians and bicyclists on truck routes. Such study shall include, but not be limited to: i) a review of the impact of tolling policies on the use of truck routes and the designation of certain streets as truck routes; ii) the number of traffic crashes involving pedestrians and bicyclists on truck routes in the most recent five years, disaggregated by truck route, and further disaggregated by whether such crashes involved a fatality or serious injury; iii) the number of charges brought for traffic infractions and misdemeanors, as identified in the vehicle and traffic law, committed on truck routes, disaggregated by truck route; iv) the use of traffic calming devices on truck routes; v) the use of exclusive pedestrian phases, leading pedestrian intervals, pedestrian islands, bicycle lanes, crosswalks, and other measures designed to increase the safety of pedestrians and bicycles on truck routes; and vi) strategies for improving the safety of pedestrians and bicycles on truck routes, whether any strategies were implemented, why such strategies were not implemented, if applicable, and the status of such implementation.

c. No later than November 30, 2015 and every five years thereafter, the study required under subdivision b of this section shall be submitted to the mayor and speaker of the council and posted on the department's official website.

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

Referred to the Committee on Transportation.

Int. No. 642

By Council Members Constantinides, Arroyo, Gibson, Kallos, Koo, Rose, Wills, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to the use of clean heating oil in New York City.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 24-168.1 of subchapter 8 of chapter 1 of title 24 of the administrative code of the city of New York, as added by local law number 43 for the year 2010, is amended to read as follows:

(b) (1) [After October 1, 2012, no] No person shall cause or permit the use in any building in the city or deliver to any building in the city for use in such building, heating oil that is fuel oil grade no. 2, no. 4 or no. 6 containing:

- (i) less than two percent biodiesel by volume, after October 1, 2012;
- (ii) less than five percent biodiesel by volume, after October 1, 2016;
- (iii) less than ten percent biodiesel by volume, after October 1, 2020;
- (iv) less than fifteen percent biodiesel by volume after October 1, 2025; and
- (v) less than twenty percent biodiesel by volume, after October 1, 2030.

(2) The provisions of this subdivision shall not apply to the use or delivery of heating oil for use in an emergency generator or for use in a boiler where heating oil from a dual-use tank supplies both such boiler and an emergency generator.

[(2)] (3) The commissioner may authorize the use of any renewable fuel in heating systems if he or she determines that such fuel meets an applicable American Society for Testing and Materials standard or other standard as determined by the commissioner, and the emissions from such fuel contain equal or lesser amounts of particulate matter, sulfur dioxide and nitrogen oxides than the emissions from fuel oil grade no. 2.

§3. This local law shall take effect ninety days after enactment, except that the commissioner of environmental protection shall take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Environmental Protection.

Int. No. 643

By Council Members Crowley, Lancman, Arroyo, Johnson, Koo, Richards, Rosenthal, Wills and Mendez.

A Local Law to amend the administrative code of the city of New York in relation to requiring the department of correction to provide a monthly report regarding the number of inmates who are on a waiting list for housing in restrictive housing and clinical alternative to punitive segregation units.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of Title 9 of the administrative code of the city of New York is amended by adding a new section 9-135 to read as follows:

§ 9-135. *Restrictive and clinical alternative to punitive segregation housing waiting list. The commissioner, in consultation with the commissioner of the department of health and mental hygiene, shall post a monthly report by the second Monday of each month, on the department of correction website, detailing the highest number of city jail inmates awaiting placement in restrictive housing and clinical alternative to punitive segregation housing at any time in the previous month, disaggregated by housing type.*

§2. This local law shall take effect thirty days after it shall have become a law.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 644

By Council Members Crowley, Dromm, Johnson, Kallos, Rosenthal, Levin, Arroyo, Cabrera, Chin, Cohen, Deutsch, Eugene, Gibson, Koo, Koslowitz, Lancman, Rose, Wills, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to report information on physical education in New York city schools.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21-A of the administrative code of the city of New York is amended by adding a new section 21-954 to read as follows:

§21-954 *Reporting on physical education.*

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

1. *"Adaptive physical education" means a specially designed program of developmental activities, games, sports, and rhythms suited to the interests, capabilities, and limitations of students with disabilities who may not safely or successfully engage in unrestricted participation in the activities of a regular physical education program.*

2. *"Co-located" means any public school serving students in the elementary, middle or high school grades, or any combination thereof, including any charter school, which shares space with another public school in a building within the city school district of the city of New York.*

b. *Not later than the first day of November of the year 2015 and on or before the first day of November annually thereafter, the department shall submit to the speaker*

of the council and post on the department's website, a report which shall include, but not be limited to the following:

1. *The frequency and total minutes per week of physical education instruction provided to students in each grade level in each school, disaggregated by the percentage of the school's physical education instruction provided by a New York state certified physical education instructor, by a teacher under the direction of a New York state certified physical education instructor, or by a teacher without additional supervision.*

2. *The frequency and total minutes per week of physical education instruction provided to students who are receiving special education services or who are English-language learners.*

3. *The number of designated full-time and part-time New York state certified physical education teachers providing instruction at the school.*

4. *Information on all designated indoor and outdoor facilities used for physical education by the school. This information shall include, but not be limited to, (i) The size of the space in square feet; (ii) the number of periods per day and/or per week when the space is available to the school for physical education; (iii) the number of students using the space for physical education during each of those allotted periods; (iv) whether the space is used for any other purposes; (v) whether the space is used by any other schools including co-located schools in the same building; (vi) whether the space has any deficiencies that limit its use for physical education instruction; and (vii) whether the space is appropriate for students with disabilities who require adaptive physical education, and if not, what physical education students with disabilities receive.*

5. *Demographic information regarding the racial and ethnic composition of the school which shall include but not be limited to the percentage of special education students and the percentage of English language learners.*

6. *The total number and percentage of schools, broken down by grade level, that met all New York state physical education instructional requirements in the prior year.*

7. *The average frequency and amount of physical education provided by schools for each grade level.*

8. *The total number of full-time New York state certified physical education instructors employed by the department for grades K through 12.*

9. *The total number of full-time staff employed at the elementary, middle school, and high school levels.*

10. *The total number of part-time New York state certified physical education instructors employed by the department for grades K through 12.*

11. *The total number of part-time staff employed at the elementary, middle school, and high school levels.*

12. *A list of all schools that share New York state certified physical education instructors and/or gymnasium space with other schools.*

13. *A list of all schools using non-gymnasium space to provide school-day physical instruction.*

14. *A list of all schools using off-site space to provide school-day physical education instruction.*

15. *A description of physical education activities provided by each school for each grade level.*

c. *All information provided in the report required by subdivision b of this section shall be disaggregated by school district and borough.*

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

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

Referred to the Committee on Education.

Int. No. 645

By Council Members Deutsch, Cabrera, Cumbo, Dickens, Espinal, Johnson, Koo, Koslowitz, Lancman, Reynoso, Vallone and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to bus lane violations.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 19 of the administrative code of the city of New York section is amended by adding a new section 19-175.5 to read as follows:

§ 19-175.5 *Bus lane violations. a. For the purposes of this section, the following terms shall have the following meanings:*

1. *"Bus lane restrictions" means restrictions on the use of designated traffic lanes by vehicles other than buses imposed on routes within a bus rapid transit demonstration program by local law and signs erected by the department pursuant to section 1111-c of the vehicle and traffic law.*

2. *"Designated bus lane" means a lane dedicated for the exclusive use of buses with the exceptions allowed under 4-08(a)(3) and 4-12(m) of title 34 of the rules of the city of New York.*

3. *"Photo device" means a device that is capable of operating independently of an enforcement officer and produces one or more images of each vehicle at the time it is in violation of bus lane restrictions.*

b. Notwithstanding any other law, rule or regulation, when bus lane restrictions are in effect on a street, it shall be an affirmative defense to a violation of such restrictions that such summons or notice of violation was issued pursuant to an image captured by a photo device up to five minutes after such photo device began operating for the day or up to five minutes before such photo device ceased operating for the day at the time such summons or notice of violation was issued.

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

Referred to the Committee on Transportation.

Int. No. 646

By Council Members Dromm, Koslowitz and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the parking of motor vehicles by dealers.

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 hereby amended to add a new section 19-170.1 to read as follows:

§ 19-170.1 *Limitation on parking of motor vehicles by dealers. a. It shall be unlawful for any dealer, as defined in section four hundred fifteen of the vehicle and traffic law, to park, store or otherwise maintain a motor vehicle upon any street of the city for the purpose of:*

(i) displaying such motor vehicle for sale, or (ii) greasing or repairing such motor vehicle, except in the case of an emergency repair.

b. It shall be unlawful for any dealer, as defined in section four hundred fifteen of the vehicle and traffic law, to park, store, or otherwise maintain on any street a motor vehicle that is in the dealer's possession while awaiting repair or subsequent return to the owner or lessee of such motor vehicle. Any dealer in possession of a motor vehicle awaiting repair or subsequent return to the owner or lessee of such motor vehicle shall, at all times, display a placard, clearly legible through the motor vehicle's forward windshield, indicating the name, address, license number and telephone contact information of such dealer.

c. Each violation of this section shall be punishable by a fine of not less than two hundred fifty dollars and not more than four hundred dollars. For purposes of this section, every day that any single motor vehicle is parked illegally shall be considered a separate violation.

d. If an owner or lessee of a motor vehicle receives a summons for a parking violation on the date and time such motor vehicle was in the possession of a dealer awaiting repair or subsequent return to such owner or lessee, it shall be an affirmative defense that such motor vehicle was in the possession of such dealer at the time of the violation alleged in the summons. If such defense is successful, the commissioner is authorized to issue a summons, violation, or to otherwise prosecute the dealer in possession of such motor vehicle on the date and time of the offense alleged in the original summons.

e. Any motor vehicle parked in violation of subdivision a of this section shall be subject to impoundment. Any motor vehicle impounded pursuant to this subdivision shall not be released until all applicable towing and storage fees have been paid. The commissioner may promulgate rules concerning the procedure for the impoundment and release of motor vehicles pursuant to this subdivision.

f. If a motor vehicle is impounded or receives a summons while in the possession of a dealer who is not the owner or lessee of such motor vehicle, such owner or lessee shall have a private cause of action against any dealer who was in possession of the motor vehicle at the time of such impoundment or the issuance of such summons.

g. The penalties and fees provided for in this section shall be in addition to any other penalties, fees or remedies provided by law or regulation.

§2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 647

By Council Members Dromm, Cohen, Constantinides, Koo, Koslowitz and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to making the chaining, tying, or attaching of bicycles to street trees illegal.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-192 to read as follows:

§ 19-192 *Attaching bicycles to street trees prohibited. a. For purposes of this section, the term "street tree" shall be defined as a tree under the jurisdiction of the commissioner of parks and recreation in accordance with section 18-104 of the code.*

b. No person shall chain, tie, or otherwise attach a bicycle to a street tree.

c. The commissioner, in consultation with the commissioner of parks and recreation, shall promulgate by rule any penalty for any violations of this section.

d. Where a summons or notice of violation is issued for a violation of subdivision b of this section, the bicycle may be seized and impounded as provided in section 19-176 of the code.

e. The provisions of this section may be enforced by designated employees of the department, the police department, the department of sanitation, and the department of parks and recreation.

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

Referred to the Committee on Transportation.

Int. No. 648

By Council Members Dromm, Eugene, Gibson, Koo, Rose, Rosenthal and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to reporting and providing information concerning bedbugs.

Be it enacted by the Council as follows:

Section 1. Section 27-2018.1 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. An owner of a residential building, as defined in subdivision a of section 27-2018.2 of this code, shall annually provide each tenant occupying such a building with the following:

1. The information set forth in subdivision b of section 27-2018.2 for the building; and

2. A notice, in a form promulgated or approved by the department of health and mental hygiene, that provides information about the prevention, detection and removal of bedbug infestations.

§ 2. Article 4 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2018.2 to read as follows:

§ 27-2018.2 *Reporting bedbug infestations. a. For the purposes of this section, a "residential building" is a building that is occupied in whole or in part as the home, residence or sleeping place of one or more human beings, except that the term "residential building" does not include a building that is an owner-occupied, one-family dwelling.*

b. An owner of a residential building shall report annually the following information about the building to the department of housing preservation and development on a form promulgated or approved by the department:

1. The street address;

2. The number of apartments;

3. The number of apartments that had a bedbug infestation during the previous year;

4. The percentage of infested apartments, obtained by dividing the number from paragraph 3 by the number from paragraph 2;

5. The number of apartments in which eradication measures were employed during the previous year for a bedbug infestation; and

6. The percentage of apartments in which eradication measures were employed, obtained by dividing the number from paragraph 5 by the number from paragraph 3.

c. A person who owns or controls an apartment located in a residential building shall furnish the residential building owner with the bedbug infestation history for the previous year for such apartment, including whether eradication measures were employed during the previous year for a bedbug infestation, upon request of such residential building owner.

d. The owner of a residential building shall furnish each person who owns or controls an apartment located within such building with the information required by subdivision b of this section.

e. The department of housing preservation and development may establish staggered reporting cycles by rule for owners required to comply with subdivision b of this section.

f. The department of housing preservation and development shall make the information it receives in accordance with subdivision b of this section, including the date it receives such information, available on its website no later than thirty days after receipt.

§ 3. This local law shall take effect 120 days after it shall have become a law, except that the commissioner of housing preservation and development and the commissioner of health and mental hygiene shall take such measures as are necessary for its implementation, including the promulgation of rules, before its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 649

By Council Members Dromm, Arroyo, Chin, Rose and Mendez.

A Local Law to amend the administrative code of the City of New York, in relation to rescinding a waiver to the right to file a claim under the human rights law.

Be it enacted by the Council as follows:

Section 1. Chapter five of title eight of the administrative code of the city of New York, is amended by adding a new section 8-503 to read as follows:

8-503. Waiver of claims under this title. a. An employee may not waive any right or claim under this title unless the waiver is knowing and voluntary. A waiver may not be considered as knowing and voluntary unless (i) the waiver is part of an agreement between the individual and the employer that is written in a manner calculated to be understood by such individual, or by the average individual eligible to participate; (ii) the waiver specifically refers to rights or claims arising under this title; (iii) the individual does not waive rights or claims that may arise after the date the waiver is executed; (iv) the individual waives rights or claims only in exchange for consideration in addition to anything of value to which the individual already is entitled; (v) the individual is advised in writing to consult with an attorney prior to executing the agreement; (vi)(a) the individual is given a period of at least 21 days within which to consider the agreement; or (b) if a waiver is requested in connection with an exit incentive or other employment termination program offered to a group or class of employees, the individual is given a period of at least 45 days within which to consider the agreement; (vii) the agreement provides that for a period of at least 7 days following the execution of such agreement, the individual may revoke the agreement, and the agreement shall not become effective or enforceable until the revocation period has expired; and (viii) if a waiver is requested in connection with an exit incentive or other employment termination program offered to a group or class of employees, the employer (at the commencement of the period specified in paragraph (vi)) informs the individual in writing in a manner calculated to be understood by the average individual eligible to participate, as to (a) any class, unit, or group of individuals covered by such program, any eligibility factors for such program, and any time limits applicable to such program; and (b) the job titles and ages of all individuals eligible or selected for the program, and the ages of all individuals in the same job classification or organizational unit who are not eligible or selected for the program.

b. A waiver in settlement of a charge filed with the Equal Employment Opportunity Commission, or an action filed in court by the individual or the individual's representative, alleging discrimination of a kind prohibited under this title may not be considered knowing and voluntary unless at a minimum (i) paragraphs (i) through (v) of subdivision a have been met; and (ii) the individual is given a reasonable period of time within which to consider the settlement agreement.

c. In any dispute that may arise over whether any of the requirements, conditions, and circumstances set forth in paragraphs (i) through (viii) of subdivision a, or paragraph (i) or (ii) of subdivision b, have been met, the party asserting the validity of a waiver shall have the burden of proving in a court of competent jurisdiction that a waiver was knowing and voluntary pursuant to subdivision a or b.

d. No waiver agreement may affect the Commission's rights and responsibilities to enforce this title. No waiver may be used to justify interfering with the protected right of an employee to file a claim or participate in an investigation or proceeding conducted by the Commission.

§2. This local law shall take effect one hundred and twenty days after enactment into law.

Referred to the Committee on Civil Rights.

Int. No. 650

By Council Members Dromm, Gibson, Rose and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to establish a uniform rating system for retail food stores.

Be it enacted by the Council as follows:

Section 1. Subchapter two of chapter five of title twenty of the administrative code of the city of New York is amended by adding a new section 20-711.1 to read as follows:

§ 20-711.1. **Rating system for retail food stores.** a. Within one hundred and eighty days of the effective date of the local law that added this section, the department shall create a uniform rating system for retail food stores as defined in subdivision b of section five hundred of article twenty-eight of the New York state agriculture and markets law, and shall rate all retail food stores in New York city. Ratings shall be based on the retail food stores' violations of any of the provisions contained in chapters three, four or five of this title, including, but not limited to, violations related to the following: (i) weighing and measuring devices; (ii) labeling of perishable foods; (iii) display of total selling price, including item or shelf pricing; and (iv) scanner accuracy.

b. Required posting of rating. Retail food stores shall conspicuously post such rating in a location, size and style to be determined by the commissioner.

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

Referred to the Committee on Consumer Affairs.

Int. No. 651

By Council Members Dromm, Arroyo, Constantinides, Dickens, Koo, Rose, Vallone and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to a requirement that tickets and notices for parking violations provide a defense that a ticket was erroneously issued.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-204 of the administrative code of the city of New York is amended as follows:

§ 19-204 Notice of violation. a. The notice of violation shall contain information advising the person charged of the manner and the time in which he or she may plead guilty or not guilty to the charge alleged in the notice. *The notice of violation shall also state that if the person charged pleads not guilty, he or she may assert, as a defense, that the ticket was erroneously issued.* Such notice of violation shall also contain a warning to advise the person charged that failure to plead in the manner and time provided shall be deemed, for all purposes, an admission of liability and that a default judgment may be rendered. The form and wording of the notice of violation shall be prescribed by the director. A copy of each notice of violation shall be filed and retained by the bureau, and shall be deemed a record kept in the ordinary course of business, and shall be prima facie evidence of the facts contained therein.

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

Referred to the Committee on Transportation.

Int. No. 652

By Council Members Dromm, Rose and Rodriguez.

A Local Law to amend the New York City Charter, in relation to records access by council members.

Be it enacted by the Council as follows:

Section 1. Section 1134 of the New York City Charter is amended to read as follows:

§1134. *Transmission of reports and records to council.* a. The head of each agency shall promptly transmit to the council copies of all final reports or studies which the charter or other law requires the agency or any official thereof to prepare. The head of each agency shall also promptly transmit to the council copies of all final audits, audit reports and evaluations of such agency prepared by state or federal officials or by private parties.

b. *Within five business days of receipt of a written request from a council member for reasonably described records, as defined by subdivision four of section 86 of the public officers law, to be used in furtherance of his or her official duties, the records access officer designated by each agency shall make such records available to the council member, deny such request in writing, or furnish a written acknowledgement of the receipt of such request and a statement of the approximate date, which shall be reasonable under the circumstances of the request, when such request will be granted or denied. If an agency determines to grant a request in whole or in part, and if circumstances prevent disclosure to the council member within ten business days from the date of the acknowledgement of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within ten business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part. For purposes of requests made pursuant to this section, an agency may withhold information on the grounds set forth in subdivision two of section 87 of the public officers law. A council member who is denied access to a record or records may within five business days appeal in writing such denial to the agency's records access appeals officer, who shall within five business days of receipt of such appeal fully explain in writing to the council member the reasons for further denial, or provide access to the record or records sought. Failure by an agency to conform to the provisions of this section shall constitute a denial. A council member who is denied access to a record or records in an appeal determination may bring a proceeding for review of such denial pursuant to article seventy-eight of the civil practice law and rules.*

§2. This local law shall take effect thirty days following the date of its enactment.

Referred to the Committee on Governmental Operations.

Int. No. 653

By Council Member Dromm.

A Local Law to amend the administrative code of the city of New York, in relation to gluten and food establishments.

Be it enacted by the Council as follows:

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

§ 17-198 Posting of gluten information. a. Definitions. 1. "Covered food service establishment" shall mean a food service establishment within the city of New York that is one of a group of 15 or more food service establishments doing business nationally, offering for sale substantially the same menu items, in servings that are standardized for portion size and content, that operate under common ownership or control, or as franchised outlets of a parent business, or do business under the same name.

2. "Food service establishment" shall have the meaning as such term is defined in section 81.03 of the health code of the city of New York, except that it shall apply exclusively to places where food is sold and space is designated specifically as an eating area.

3. "Menu" shall mean a printed list or pictorial display of a food item or items, and their prices, that are available for sale from a covered food service establishment and shall include menus distributed or provided outside of such establishment.

4. "Menu board" shall mean any list or pictorial display of a food item or items, and their prices posted in and visible within a covered food service establishment or outside of a covered food service establishment for the purpose of ordering from a drive-through window.

5. "Menu item" shall mean any individual food item, or combination of food items, listed or displayed on a menu board or menu that is sold by a covered food service establishment.

6. "Food item tag" shall mean a label or tag that identifies any food item displayed for sale at a covered food service establishment.

b. Scope and applicability. This section shall apply to menu items that are served in portions the size and content of which are standardized at a covered food service establishment. This section shall not apply to menu items that are listed on a menu or menu board for less than 30 days in a calendar year.

c. Posting gluten information for menu items. All menu boards and menus in any covered food service establishment shall indicate which menu items contain gluten. Such information shall be listed clearly and conspicuously, adjacent or in close proximity to such menu items so as to be clearly associated with the menu item, using a font and format that is at least as prominent, in size and appearance, as that used to post either the name or price of the menu item.

1. Food item tags. When a food item is displayed for sale with a food item tag, any such food that contains gluten shall include that it contains gluten in a font size and format at least as prominent as the font size of the name of the food item.

2. Drive-through windows. Gluten content information at drive-through windows shall be displayed on either the drive-through menu board, or on an adjacent sign visible at or prior to the point of ordering, so long as the gluten content for each menu item is clearly and conspicuously posted on the sign adjacent to their respective menu item names on the drive-through menu board.

d. Penalties. Any covered food service establishment that violates subdivision c of this section of the code or any of the rules promulgated thereunder shall be liable for a civil penalty not to exceed one hundred dollars for each violation.

e. Instruction and testing on gluten. The department shall require instruction and testing on gluten as part of any food protection course provided pursuant to Article 81 of the health code of the city of New York.

§ 2. This local law shall take effect one hundred eighty days after its enactment into law, provided that, the commissioner may promulgate any rules necessary for implementing and carrying out the provisions of this section prior to its effective date.

Referred to the Committee on Health.

Int. No. 654

By Council Members Dromm, Chin, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an immigrant affairs coordinator within the department of parks and recreation.

Be it enacted by the Council as follows:

Section 1. Chapter one of title eighteen of the administrative code of the city of New York is amended by adding a new section 18-142 to read as follows:

§18-142 Establishment of immigrant affairs coordinator. There shall be established within the department the position of "Immigrant Affairs Coordinator". The duties of any person who shall have this position shall be determined by the commissioner, and shall include, but need not be limited to, acting as liaison to immigrant communities throughout New York city on behalf of the department, and consulting with other members of the department on program implementation as it relates to immigrants.

§2. This local law shall take effect one hundred eighty days after its enactment.

Referred to the Committee on Parks and Recreation.

Res. No. 562

Resolution calling on federal and New York state authorities to appoint special prosecutors to prosecute violence and civil rights violations against individuals in the New York City Department of Correction.

By Council Members Dromm, Chin, Johnson, Mendez and Rodriguez.

Whereas, The New York City Department of Correction ("DOC") is charged with overseeing and providing for the care, custody, and control of individuals 16 years of age and older who are accused of crimes or convicted and sentenced to one year or less of incarceration; and

Whereas, DOC reported 77,141 total admissions to City jails during Fiscal Year 2014, with an average daily population of 11,408; and

Whereas, On August 4, 2014, the United States Department of Justice ("DOJ") issued a report on New York City jails on Rikers Island, which focused on the adolescent male population and the use of force by staff, inmate-on-inmate violence, and use of punitive segregation during the period 2011-2013; and

Whereas, The report notes that these conditions likely violated the Constitutional rights of these inmates; and

Whereas, It has been reported by numerous news agencies that inmates have been denied proper medical, including mental health, treatment have been beaten by correction officers, and have died unnecessarily while in DOC custody; and

Whereas, Very few cases of alleged mistreatment of inmates by DOC staff are prosecuted; and

Whereas, Both the federal and New York state governments should appoint special prosecutors who have specific training in violence and civil rights violations in city jails to prosecute such violations against individuals; and

Whereas, Providing this independent oversight and prosecutorial power would help ensure the safety of inmates and ensure their constitutional rights are protected; now, therefore, be it

Resolved, That the Council of the City of New York calls on federal and New York state authorities to appoint special prosecutors to prosecute violence and civil rights violations against individuals in the New York City Department of Correction.

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 563

Resolution calling upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.

By Council Members Dromm, Chin, Johnson, Mendez and Miller.

Whereas, In 1998 the State Legislature passed the New York Charter Schools Act authorizing the creation of up to 100 charter schools, which are publicly funded but privately operated schools; and

Whereas, Since that time, the cap on the number of charter schools allowed to operate in New York State has been raised twice; and

Whereas, In April 2007, the New York State Legislature doubled the number of charter schools allowed in the state, from 100 to 200; and

Whereas, In 2010, the Legislature raised the cap again to allow an additional 260 charter schools, making a total of 460 charters available statewide, with smaller sub-caps for New York City and each of the statewide authorizers; and

Whereas, More than half of the new charters authorized in 2010, 156 out of 260, remain unused; and

Whereas, Under the current State charter school cap, up to 256 of the statewide charter school total of 460 can be located in New York City; and

Whereas, Currently, in New York City 197 charters are operating, 34 have been approved, and 25 remain under the cap; and

Whereas, Outside of the City 134 remain unused under the cap for the rest of the State; and

Whereas, Since charter schools were first authorized, there has been no comprehensive, independent evaluation of charter school operations; and

Whereas, There have also been relatively few audits of charter schools conducted by the New York State Comptroller to date, primarily due to legal challenges by charter operators to the Comptroller's authority to perform such audits; and

Whereas, Audits of charter schools that have been conducted by the State Comptroller have found significant numbers of deficiencies and mismanagement, including conflicts of interest, failure to complete required employee criminal history record checks, and inadequate systems of internal controls over basic financial operations in some cases; and

Whereas, A November 2014 report by The Center for Popular Democracy and The Alliance for Quality Education estimates that New York could stand to lose \$54 million in charter school fraud in 2014 alone; and

Whereas, Because charter schools are publicly funded, it is important to conduct a comprehensive assessment before committing substantial further investment; and

Whereas, Additionally, as part of the 2014 State budget legislation, New York City is the only district now required to provide free space to all new or expanding charter schools, either by co-locating the charter in a City school building or by paying for rent in private space; and

Whereas, According to the New York City Charter School Center, the City would have to pay the lesser of the actual rental cost or a total amount up to \$2,775.40 per pupil in 2015-16; and

Whereas, There are not many City schools that are sufficiently underutilized to accommodate such co-locations; and

Whereas, In fact, most schools are near, at or over-capacity; and

Whereas, A July 2014 report by the Independent Budget Office (IBO) found that 43.5% of students attended school in buildings that were at 102.5% of capacity or higher in the 2012-2013 school year, and also found that overcrowding in City schools has been steadily increasing; and

Whereas, Thus, the City will increasingly have to pay rent for charter schools in private space; and

Whereas, Under the existing cap the City will have to provide space for an additional 59 new charter schools as well as any existing charters that wish to expand; and

Whereas, Raising the cap will create an undue financial hardship for the City, due to this new requirement for providing free space to charter schools; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to reject any attempt to raise the cap on the number of charter schools.

Referred to the Committee on Education.

Res. No. 564

Resolution calling upon the New York City Department of Education to implement a curriculum and to acquire textbooks and trade books that include key moments in LGBT history and accurately portray the contributions of LGBT individuals in the history of the United States.

By Council Members Dromm, Arroyo, Chin, Cohen, Constantinides, Johnson, Koslowitz, Rosenthal, Mendez and Rodriguez.

Whereas, According to the 2011 National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN), 81.9% of Lesbian, Gay, Bisexual or Transgender (LGBT) students reported being verbally harassed at school because of their sexual orientation; and

Whereas, The survey further noted that 38.3% reported being physically harassed and 18.3% reported being physically assaulted at school in the past year because of their sexual orientation; and

Whereas, In addition, more than half of LGBT students were cyber-bullied, or harassed or threatened by their peers via electronic mediums such as text-messages, emails, instant messaging or posting on internet sites; and

Whereas, Of the respondents to the survey, the majority of students who were harassed or assaulted did not report the incident to school staff believing that little to no action would be taken and the situation might even become worse if reported; and

Whereas, Additionally, only one-third of students who did report an incident claimed that staff effectively addressed the problem; and

Whereas, Many advocates argue that the high rates of harassment and assault are often exacerbated by school staff not adequately responding or intervening on behalf of LGBT students; and

Whereas, Studies have shown that teaching LGBT history in the classroom leads to fewer instances of harassment at school and can lead to a greater feeling of safety among all students regardless of sexual orientation or gender expression; and

Whereas, New York City should enlighten its students about the role and contributions of LGBT Americans to our City, State and nation in the course of history; and

Whereas, The history of the United States could be considered incomplete and inaccurate without the inclusion of the social, political and artistic contributions of notable LGBT individuals such as Bayard Rustin, Harvey Milk, Stephen Sondheim, Truman Capote, James Baldwin and Gertrude Stein; and

Whereas, In addition, the history of our nation should include key events and organizations that have been in the forefront of the LGBT American movement for equality; and

Whereas, The Daughters of Bilitis, the Mattachine Society, the Stonewall Rebellion, the HIV/AIDS crisis, *Bowers v. Hardwick*, *Lawrence v. Texas*, "Don't Ask Don't Tell" and the struggle for the recognition of LGBT families are all important and should be included in American history; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to implement a curriculum and to acquire textbooks and trade books that include key moments in LGBT history and accurately portray the contributions of LGBT individuals in the history of the United States.

Referred to the Committee on Education.

Res. No. 565

Resolution calling upon the New York City Department of Education to make use of available free resources from the Gay, Lesbian and Straight Education Network (GLSEN) in its implementation of the Respect for All initiative in order to protect and support lesbian, gay, bisexual and transgender students.

By Council Members Dromm, Gentile, Gibson, Johnson, Koslowitz, Rose, Rosenthal, Mendez and Rodriguez.

Whereas, According to Chancellor's Regulation A-832, it is the policy of the New York City Department of Education (DOE) to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation and/or bullying committed by students against other students on account of actual or perceived race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation, disability or weight; and

Whereas, The DOE's Respect for All (RFA) initiative works to protect all students, including lesbian, gay, bisexual and transgender (LGBT) students from bullying and harassment through confidential reporting of incidents, prompt investigation, appropriate intervention and educating students, parents and staff about the policy through posters hung in schools and brochures distributed annually; and

Whereas, Research shows that LGBT students are particularly vulnerable to bullying and harassment on the basis of sexual orientation or gender identity/expression; and

Whereas, According to the 2011 National School Climate Survey conducted by the Gay, Lesbian and Straight Education Network (GLSEN), responses show that in New York 81% of LGBT students were verbally harassed due to sexual orientation and 60% due to gender expression, 29% were physically harassed due to sexual orientation and 23% due to gender expression, and 13% were physically assaulted due to sexual orientation and 9% due to their gender expression; and

Whereas, Students in New York also reported high levels of other forms of harassment at school: 91% felt deliberately excluded or "left out" by peers; 86% had mean rumors or lies told about them; 64% were sexually harassed; 57% experienced electronic harassment or "cyberbullying"; and 46% had property (e.g., car, clothing, or books) deliberately damaged and/or stolen; and

Whereas, GLSEN's research further reports that 59% of New York students who had been harassed or assaulted in school never reported it to a staff person, and only 39% of the students who did report the incident said school staff intervened effectively; and

Whereas, This research also found that LGBT students with a greater number of supportive staff members had higher grade point averages than those with fewer supportive staff members; and

Whereas, Despite publication of the anti-bullying policy, LGBT students are often unaware that they are protected by anti-bullying and harassment policies and that supportive staff members exist in their schools; and

Whereas, GLSEN, a nonprofit organization that strives to assure that each member of every school community is valued and respected regardless of sexual orientation or gender identity/expression, has made available free Safe Space Kits through its website; and

Whereas, GLSEN's Safe Space Kit is designed to help educators create a safe space for LGBT students and is one of the most effective ways for an educator to create a safe learning environment in school for all students and to be a supportive ally to LGBT students; and

Whereas, GLSEN's website also offers access to other free tools, such as educator guides, LGBT-inclusive curriculum, and lesson plans on bullying, bias and diversity to facilitate classroom discussions; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to make use of available free resources from the Gay, Lesbian and Straight Education Network (GLSEN) in its implementation of the Respect for All initiative in order to protect and support lesbian, gay, bisexual and transgender students.

Referred to the Committee on Education.

Res. No. 566

Resolution calling upon the City University of New York (CUNY) to incorporate Lunar New Year as an observed university holiday throughout the CUNY system.

By Council Members Dromm, Chin, Gibson, Koslowitz, Rose, Vallone and Mendez.

Whereas, Lunar New Year, a 15-day celebration, is considered to be the most important and festive holiday of the year in the Asian community; and

Whereas, Lunar New Year is celebrated by Chinese, Korean, Vietnamese, and other Asian ethnic groups; and

Whereas, According to Columbia University, preparations for Lunar New Year festivities begin with tying up loose ends in anticipation for a fresh start in the New Year; and

Whereas, For businesses, Lunar New Year means balancing books, paying off old debts, and collecting on loans and charges still due; and

Whereas, For the individual, it means reflecting upon the misfortunes of the past and examining personal mistakes and failures in order to get rid of bad luck and negative attitudes of the past thereby leaving the individual with an optimistic approach for the future; and

Whereas, During this time, each household embraces a traditional cleansing for the purpose of warding off evil spirits that are hidden in clutter; and

Whereas, The exchanging of gifts and money are also common practices during Lunar New Year; and

Whereas, In New York City, alternate side parking is suspended in observance of Lunar New Year; and

Whereas, Despite Lunar New Year being the most important, festive, and longest holiday celebrated by billions of people around the world, including the United States, it is not recognized as a university holiday at the City University of New York (CUNY); and

Whereas, Currently, CUNY campuses are closed on a number of religious holidays, including Rosh Hashanah, Yom Kippur, Christmas, Good Friday, Easter, and Passover; and

Whereas, CUNY is the largest public urban university in the nation which provides high-quality education to approximately 270,000 degree-seeking students and over 248,000 adult, continuing and professional education students at 24 campuses throughout New York City; and

Whereas, Nineteen percent of CUNY's undergraduate students and 13.6 percent of CUNY's graduate and professional students identify themselves as Asian; and

Whereas, CUNY is praised for its continuing development of programs and policies designed to meet the academic and social needs of its diverse student body population, and for encouraging its students to experience cultural, educational and community-based opportunities, and therefore, the Lunar New Year holiday should be incorporated into the University's academic calendar; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City University of New York (CUNY) to incorporate Lunar New Year as an observed university holiday throughout the CUNY system.

Referred to the Committee on Higher Education.

Res. No. 567

Resolution calling upon the City University of New York (CUNY) to incorporate Diwali as an observed university holiday throughout the CUNY system.

By Council Members Dromm, Chin, Gentile, Gibson, Koslowitz, Vallone and Mendez.

Whereas, Diwali, a five-day festival, is one of the most important holidays on the Hindu calendar and is referred to as the "festival of lights"; and

Whereas, Diwali is celebrated on the 15th day of the Hindu month of Kartik, which occurs in either October or November; and

Whereas, Diwali generally celebrates the victory of good over evil, light over darkness, and knowledge over ignorance; and

Whereas, The Diwali celebration varies throughout India by geographical region and religion; and

Whereas, Diwali is observed by Hindus, Sikhs, Jains and some Buddhists; and

Whereas, According to the United States Census Bureau's latest American Religious Identification Survey in 2008, there are 582,000 Hindus, 78,000 Sikhs, and 1,189,000 Buddhists in the United States; and

Whereas, According to the Census Bureau's 2012 American Community Survey, there were 205,098 New York City residents who identified themselves as Asian Indian, of which many are adherents of Hinduism, Sikhism, Jainism, or Buddhism; and

Whereas, According to The Hindu American Foundation (HAF), a national non-profit advocacy organization for the Hindu American community, Diwali is celebrated by over two million people in the United States alone and by one billion people worldwide; and

Whereas, Other countries that celebrate Diwali include Australia, Bangladesh, Canada, Fiji, Guyana, Indonesia, Kenya, Malaysia, Mauritius, Myanmar (or Burma), Nepal, the Netherlands, New Zealand, Pakistan, Singapore, South Africa, Sri Lanka, Surinam, Tanzania, Thailand, Trinidad and Tobago, and the United Kingdom; and

Whereas, Diwali was first celebrated in the White House under President George W. Bush in 2003 following a long-standing demand by the Indian American community and continues to be recognized under President Obama's Administration; and

Whereas, In 2007, the United States House of Representatives passed a resolution recognizing the religious and historical significance of Diwali, and the United States Senate passed similar resolutions in 2011 and 2013; and

Whereas, Furthermore, the first-ever Congressional Diwali celebration was held in 2013; and

Whereas, In New York City, alternate side parking rules are suspended on this holiday; and

Whereas, Diwali, however, is not observed as a university holiday at The City University of New York (CUNY); and

Whereas, CUNY campuses are closed on a number of religious holidays, including Rosh Hashanah, Yom Kippur, Christmas, Good Friday, Easter and Passover; and

Whereas, CUNY's undergraduate student body reflects the diversity of New York City, which is comprised of various ethnic and cultural backgrounds from 216 countries, including several countries that celebrate Diwali; and

Whereas, CUNY prides itself in its continuing development of programs and policies designed to meet the academic and social needs of its diverse student body

population, and therefore, should incorporate Diwali into the University's academic calendar; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City University of New York (CUNY) to incorporate Diwali as an observed university holiday throughout the CUNY system.

Referred to the Committee on Higher Education.

Res. No. 568

Resolution calling upon the New York City Department of Education to establish Diwali as an official holiday for New York City public school students.

By Council Members Dromm, Chin, Constantinides, Koslowitz, Rose, Vallone and Mendez.

Whereas, According to the U.S. Census Bureau's latest American Religious Identification Survey in 2008, there were 582,000 Hindus, 78,000 Sikhs, and 1,189,000 Buddhists in the United States; and

Whereas, According to the Census Bureau's 2012 American Community Survey, there were 205,098 New York City residents who identify themselves as Asian Indian, of which many are adherents of Hinduism, Sikhism, Jainism, or Buddhism; and

Whereas, Diwali, a five-day festival that begins on the 15th day of the Hindu month of Kartik (October/November), is the most important festival on the Hindu calendar, celebrating the triumph of good over evil and marking the New Year; and

Whereas, Diwali is commonly known as the Festival of Lights, with celebrants lighting millions of lanterns, symbols of knowledge and inner light, to dispel ignorance and darkness; and

Whereas, For Sikhs, Diwali is the day the Mughal Emperor released Hargobind, the revered sixth Guru, from captivity; and

Whereas, For Jains, Diwali marks the anniversary of the attainment of moksha, or liberation, by Mahavira, who was the last of the Tirthankaras, or the great teachers of Jain dharma; and

Whereas, Some Buddhists celebrate Diwali to commemorate the day King Ashok converted to Buddhism; and

Whereas, Despite the large number of Hindus, Sikhs, Jains, and Buddhists in New York City, Diwali is not recognized as a school holiday in the New York City public school system; and

Whereas, In 2007, the United States House of Representatives passed a resolution recognizing the religious and historical significance of Diwali, and in 2013 hosted the first-ever Congressional Diwali celebration; and

Whereas, In 2011 and 2013, the US Senate passed a resolution recognizing the historical and spiritual significance of Diwali for Hindus, Sikhs, and Jains; and

Whereas, Since 2003, the White House has held an annual Diwali celebration; and

Whereas, New York City has already acknowledged the significance of Diwali by suspending alternate side parking rules on Lakshmi Puja, the third and most important day of the holiday; and

Whereas, Currently, New York City public schools are closed on several religious holidays; and

Whereas, It should be noted that Chancellor's Regulation A-630 puts forth guidelines regarding the provision of reasonable accommodations for religious observance and practices for public school students; and

Whereas, Pursuant to Regulation A-630, reasonable accommodations include excused absences for religious observance outside of school grounds, as well as in-school provisions such as time for praying or sitting separately in the cafeteria during periods in which a student may fast; and

Whereas, Despite the intentions behind this regulation, many parents, students and advocates have expressed concern that students who celebrate Diwali are still left at a disadvantage, having to choose between celebrating an important holiday or being absent from school, which can result in these students falling behind their peers, missing lessons and tests, and having lower attendance records; and

Whereas, Other American localities with growing Hindu, Sikh, Jain, and Buddhist populations have incorporated Diwali into their school holiday calendars, including Passaic and South Brunswick in New Jersey; and

Whereas, New York City is a diverse and dynamic locality in which tolerance and acceptance are central values, and the incorporation of Diwali as a public school holiday would serve as an important embodiment of this tolerance and acceptance; and

Whereas, The New York City Department of Education has authority over the school calendar and, as a matter of policy, can incorporate Diwali as an observed holiday; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to establish Diwali as an official holiday for New York City public school students.

Referred to the Committee on Education.

Res. No. 569

Resolution urging the United States Department of Homeland Security to investigate abuse allegations and take action to ensure the safety of lesbian, gay, bisexual, and transgender immigrants in the custody of the United States Department of Homeland Security.

By Council Members Dromm, Chin, Cohen, Gentile, Johnson, Koslowitz, Mendez and Rodriguez.

Whereas, There are approximately nine million lesbian, gay, bisexual, and transgender (LGBT) United States individuals living in the United States; and

Whereas, The Department of Homeland Security (DHS) deported approximately 400,000 undocumented immigrants in 2013, many of whom came to the United States to escape persecution in their home countries due to political opinion, sexual orientation, or gender identity; and

Whereas, According to DHS, Immigration detention facilities have a daily population of approximately 34,000 detainees who have been ordered deported or removed; and

Whereas, On April 13, 2011, Heartland Alliance's National Immigrant Justice Center (NIJC) filed a complaint against DHS on behalf of 13 gay and transgender immigrant detainees who reported abuse at immigration detention facilities run by the United States Immigration and Customs Enforcement (ICE) and its contractors; and

Whereas, These complaints allege sexual assault, denial of adequate medical care, long-term solitary confinement, discrimination and abuse, and an ineffective complaint and appeal process; and

Whereas, According to NIJC, sexual abuse is widespread in immigration detention facilities and ICE officials are unwilling or unable to protect immigrant detainees and provide necessary treatment; and

Whereas, Further, according to the United States Government Accountability Office,

Between 2010 and 2012 over 200 allegations of sexual abuse in immigration detention facilities

Were reported, many of which were allegations of abuse against LGBT immigrants; and

Whereas, The enactment and enforcement of the Prison Rape Elimination Act of 2003 ("PREA") has been successful in combatting prison rape through a zero tolerance policy in prisons; and

Whereas, However, According to the American Civil Liberties Union (ACLU), the United States Department of Justice issues a rule in 2012 that excluded immigration detention facilities from coverage under PREA; and

Whereas, In March Of 2014, DHS announced it had finalized PREA standards that require all DHS facilities and all contract facilities that hold immigration detainees to comply with the PREA regulations; and

Whereas, According to the ACLU, these regulations (i) set forth a zero tolerance policy for any sexual abuse of immigration detainees; (ii) establish mandatory training for all staff; (iii) and require that every facility undergo at least one outside audit for PREA compliance every three years; and

Whereas, DHS must immediately and effectively implement these standards in every facility; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Department of Homeland Security to investigate abuse allegations and take action to ensure the safety of lesbian, gay, bisexual, and transgender immigrants in the custody of the United States Department of Homeland Security.

Referred to the Committee on Immigration.

Preconsidered Int. No. 655

By Council Members Ferreras, Greenfield and Rose.

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

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 11-356 of the administrative code of the city of New York is amended to read as follows:

b. The task force shall consist of ten members, as follows: the commissioner of environmental protection or his or her designee, the director of management and budget or his or her designee, the commissioner of housing preservation and development or his or her designee, the commissioner of finance or his or her designee, one member appointed by the mayor and five [council] members appointed by the speaker of the council. Any [council] member appointed by the speaker of the council may name a designee, provided that such designee shall be an employee of the council. Members shall serve without compensation. The members of the task force shall be appointed [within sixty days of the effective date of the local law that added this section] *no later than August first, two thousand fifteen*. The chairperson shall be elected from among the members. Any vacancy shall be filled in the same manner as the original appointment for the remainder of the unexpired term. The director of management and budget, and the commissioners of finance, environmental protection, and housing preservation and development may provide

staff to assist the task force in the execution of its duties pursuant to this section. Members of the task force shall serve until the opening paragraph of subdivision b of section 11-319 of this chapter authorizes the commissioner of finance to conduct a sale or sales of tax liens after December thirty-first, two thousand sixteen, or the task force submits a report to the mayor and the council pursuant to subdivision d of this section, whichever is sooner, after which time such temporary task force shall cease to exist.

§ 2. This local law shall 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 the sale of tax liens, as proposed in introduction number 612, takes effect.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Int. No. 656

By Council Members Ignizio, Ferreras, Gentile, Rose and Matteo (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of the South Shore business improvement district.

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-487 to read as follows:

§ 25-487 *South Shore business improvement district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the establishment of the district; that all the real property benefited is included within the limits of the district; and that the establishment of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, there is hereby established in the borough of Staten Island, the South Shore business improvement district. Such district is established in accordance with the district plan required to be filed with the city clerk pursuant to subdivision b of this section.*

b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the district plan upon which the South Shore business improvement district is based.

c. The district plan shall not be amended except in accordance with chapter four of this title.

§ 2. This local law shall take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York.

Referred to the Committee on Finance.

Preconsidered Res. No. 570

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

By Council Member Ferreras.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2014 and Fiscal 2015 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 2014 and Fiscal 2015 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local, aging, and youth discretionary funding and funding pursuant to certain initiatives; now, therefore, be it

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 2; and be it further

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Anti-Gun Violence Initiative – Job Readiness Programs in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the changes in the designation of the Administration for Children’s Services as the agency receiving funding pursuant to the Discretionary Child Care Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of Department of Youth and Community Development as the agency receiving funding pursuant to the Sports Training

and Rolemodels for Success (STARS) Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2015 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 10; 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 2015 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to certain initiatives in accordance with the Fiscal 2014 Expense Budget, as set forth in Chart 12.

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. 570 printed in these Minutes).

Preconsidered Res. No. 571

Resolution concerning the establishment of the South Shore Business Improvement District in the Borough of Staten Island and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

By Council Members Ferreras and Ignizio.

Whereas, Pursuant to the authority granted by chapter 4 of title 25 of the Administrative Code of the City of New York (“the Law”), the Mayor, by authorization dated October 14, 2014, provided for the preparation of a district plan (“the Plan”) for the South Shore Business Improvement District (“the District”) in the Borough of Staten Island; and

Whereas, Pursuant to Local Law No. 82 for the year 1990, the City Council assumed responsibility for adopting legislation establishing Business Improvement Districts; and

Whereas, Pursuant to section 25-405(c) of the Law, the New York City Department of Small Business Services (“SBS”) submitted the Plan to the City Planning Commission (“the CPC”) on October 27, 2014; and

Whereas, Pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the City Council on October 28, 2014; and

Whereas, Pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the Council Member representing the council district in which the proposed District is located on October 28, 2014; and

Whereas, Pursuant to section 25-405(c) of the Law, the CPC submitted the Plan to the community board for the community district in which the proposed District is located (Staten Island Community Board Number 3, hereinafter “the Community Board”) on October 28, 2014; and

Whereas, The CPC submitted the Plan to the Staten Island Borough President on October 28, 2014; and

Whereas, Pursuant to section 25-405(c) of the Law, the Community Board notified the public of the Plan in accordance with the requirements established by the CPC; and

Whereas, The Community Board voted to approve the establishment of the District on November 25, 2014; and

Whereas, Pursuant to section 25-405(c) of the Law, the CPC reviewed the Plan, held a public hearing and prepared a report certifying its unqualified approval of the Plan; and

Whereas, Pursuant to section 25-405(c) of the Law, the CPC submitted its report to the Mayor, to the Staten Island Borough President, to the City Council, and to the Council Member representing the council district in which the proposed District is located; and

Whereas, Pursuant to section 25-405(c) of the Law, a copy of the CPC’s report, together with the original Plan, was transmitted for filing with the City Clerk on January 13, 2015; and

Whereas, Pursuant to section 25-406(a) of the Law, a copy of the Plan and the CPC’s report are annexed hereto and are made part of this Resolution; and

Whereas, Pursuant to section 25-406(a) of the Law, the Plan is on file for public inspection in the Office of the City Clerk, 141 Worth Street, New York, New York; and

Whereas, Pursuant to Section 25-406(b) of the Law, any owner of real property, deemed benefited and therefore within the District, objecting to the plan must file an objection at the Office of the City Clerk within thirty days of the conclusion of the hearing held by the City Council, notice of which is provided by this Resolution, on forms made available by the City Clerk; and

Whereas, Pursuant to Section 25-406(b) of the Law, if owners of at least fifty-one percent of the assessed valuation of all the benefited real property situated within the boundaries of the District proposed for establishment, as shown upon the latest completed assessment roll of the City, or at least fifty-one percent of the owners of benefited real property within the area included in the District proposed for establishment, file objections to the Plan with the City Clerk within the thirty-day objection period, the District will not be established; now, therefore, be it

Resolved, That the Council of the City of New York, pursuant to Section 25-406 of the Law, hereby directs that February 26, 2015 is the date and 10:00 a.m. is the time and the Committee Room in City Hall, is the place for a public hearing (“the Public Hearing”) to hear all persons interested in the establishment of the District; and be it further

Resolved, That the South Shore BID Steering Committee shall, not less than ten nor more than thirty days before the date of the Public Hearing, mail a copy of this Resolution or a summary thereof to each owner of real property within the proposed District at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills concerning real property within the proposed District, and to the tenants of each building within the proposed District; and be it further

Resolved, That SBS shall arrange for the publication of a copy of this Resolution or a summary thereof at least once in the City Record or a newspaper in general circulation in the City, the first publication to be not less than ten nor more than thirty days before the date of the Public Hearing; and be it further

Resolved, That in the event that the South Shore BID Steering Committee mails, or SBS arranges for the publication of, a summary of this Resolution, such summary shall include the information required by section 25-406(c) of the Law.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Res. No. 572

Resolution calling on the New York State Legislature to introduce and pass, and the Governor to sign, legislation which would provide a one hundred dollar tax credit to each taxpayer who adopts a dog or a cat from a shelter.

By Council Members Ferreras, Arroyo, Constantinides, Gentile, Gibson, Johnson, Rose, Vallone and Ignizio.

Whereas, According to the American Society for the Prevention of Cruelty to Animals (“ASPCA”), millions of dogs and cats are euthanized in animal shelters across the country every year because they have not been adopted into loving homes; and

Whereas, In New York City, there is a great need to encourage more people to adopt dogs and cats from animal shelters; and

Whereas, Animal Care and Control of New York City (“AC&C”) is a not-for-profit rescue organization in New York City funded by a City contract; and

Whereas, AC&C is unique because it is the only rescue organization in New York City which will never turn away a dog or a cat that is brought to it; and

Whereas, Between October 2013 and September 2014, AC&C had an intake of 29,809 dogs and cats; and

Whereas, In that same time period, 6,132 dogs and cats, or approximately 21% of the total intake, were adopted from AC&C by members of the public; and

Whereas, As a result, there are still thousands or tens of thousands of dogs and cats available for adoption each year; and

Whereas, New York State could be a leader in animal welfare by becoming the first state in the country to provide a tax credit for the adoption of a dog or cat from an animal shelter; and

Whereas, Similar legislation has been proposed in other jurisdictions, such as California, Maryland, and Pennsylvania, it has not yet been approved in those states; and

Whereas, Encouraging New Yorkers to adopt pets is not only compassionate, but would also reduce the stress on the financial resources of the shelters that house and, unfortunately in many cases, are forced to euthanize these adoptable animals; and

Whereas, Owning pets also has important health and social benefits for the pet owner; and

Whereas, Several studies funded by the National Institute for Health have demonstrated that pet ownership can improve cardiovascular health, lead to lower heart rate and blood pressure, increase the amount of exercise people get, and help people make and keep social connections; and

Whereas, The cost of adopting a dog or cat can be burdensome for many families and may prevent some people willing to open their homes to a shelter dog or cat from doing so; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation which would provide a one hundred dollar tax credit to each taxpayer who adopts a dog or a cat from a shelter.

Referred to the Committee on Finance.

Int. No. 657

By Council Members Garodnick, Johnson, the Public Advocate (Ms. James) and Council Members Arroyo, Gentile, Koo, Rose, Espinal, Levine, Williams, Lancman, Cabrera and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a water tank inspection report database.

Be it enacted by the Council as follows:

Section 1. Subdivisions b, d and f of section 17-194 of the administrative code of the city of New York is hereby amended to read as follows:

b. Any owner of a building that has a water tank as part of its drinking water supply system shall have such water tank inspected at least once annually. Such inspection shall ensure that the water tank complies with all provisions of the administrative code of the city of New York, the construction codes of the city of New York, [and] the health code of the city of New York, *and subpart 5.1 of the New York state sanitary code*. The results of such inspection shall be recorded in a manner prescribed by the commissioner. Such results shall be maintained by the owner for at least five years from the date of inspection and shall be made available to the department upon request within five business days. *Upon the completion of such inspection, the building shall submit a copy of such results to the department within 30 days of completion in a manner prescribed by the commissioner.* The department shall request such information from the building owner or manager when contacted pursuant to subdivision c of this section.

d. Beginning March 1, [2010] 2015, and each year thereafter [for three years], the department shall submit to the council a report which shall provide information about water tank inspections for the preceding calendar year including, but not limited to:

1. the estimated number of building water tanks and the estimated number of buildings serviced by such tanks;

2. the number of building water tank inspection results examined by the department and the number that were in compliance with subdivision b of this section;

3. the estimated compliance rate with subdivision b of this section for the city; [and]

4. the number of violations issued by the department pursuant to subdivision e of this section[.]; and

5. *the number of building water tank inspection results submitted to the department.*

f. *The department shall create, manage and maintain an online electronic database that contains a copy of every building water tank inspection result received by the department pursuant to subdivision b of this section within forty-five days of receipt. Such database, accessible to the public through a website, shall be searchable by property address, and shall include the building's history of water tank violations. Such website shall contain information to assist users in determining whether a building is required pursuant to subdivision b of this section to conduct a water tank inspection, shall provide notice to the public that failure to conduct a water tank inspection is a violation of law, and shall include information about how to submit a complaint about a water tank or drinking water from a water tank to the department.*

§2. This local law shall take effect one hundred and twenty days after its enactment into law, provided however that subdivision f of section 17-194 of the administrative code contained in this bill shall take effect one hundred and eighty days after its enactment.

Referred to the Committee on Health.

Int. No. 658

By Council Members Garodnick, Rodriguez, Chin, Constantinides, Rose, Espinal, Williams, Cabrera and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring information security and use of personal information policies for base stations, black car bases, and luxury limousine bases.

Be it enacted by the Council as follows:

Section 1. Chapter five of title 19 of the administrative code of the city of New York is amended by adding a new section 19-544 to read as follows:

§ 19-544 *Information security and use of personal information. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

1. *“Information system” means an interconnected set of information resources under the same direct management control that shares common functionality. An information system may include hardware, software, information, data, applications, communications systems, communications, and people.*

2. *“Personal information” means any information that can specifically identify an individual, such as name, address, social security number, unmasked or non-truncated credit, debit, or prepaid card numbers, together with any other information that relates to an individual who has been so identified, and any other information that is otherwise subject to privacy or confidentiality laws and associated rules and regulations. The display or disclosure of only the last four digits of a credit, debit, or prepaid card number and the name of a driver and such driver's commission license are not deemed personal information.*

3. *“Security event” means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system.*

b. *The commission shall develop an information security and use of personal information policy applicable to base stations, black car bases, and luxury limousine bases. Such policy shall, at a minimum: (i) require such bases to establish an information security policy, including usage policies for critical employee-facing technologies, such as applications and communications systems, and requirements for third party access, if applicable; (ii) require that personal information may only be used for the stated purpose for which it was gathered and may not be used, shared, or disclosed, except for lawful purposes; (iii) require such bases to develop a procedure for reporting to the commission and affected parties observed or suspected security incidents, threats, weaknesses, malfunctions, or criminal activity; (iv) require such bases to use and process personal information provided to the base to which it has access solely for the purposes of performing authorized activities and in compliance with all applicable privacy and data protection laws; (v) require that except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, such bases shall not collect any personal information on any passenger without such passenger's express, informed, and documented consent; (vi) require such bases to ensure that personal information collected by a credit, debit, or prepaid card services provider is stored in a database management system maintained and administered by such provider or its processing agent in compliance with applicable payment card industry standards; and (vii) require bases to establish a policy regarding the use of passenger trip information, with such policy including but not limited to a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and route traveled during such trip, except for legitimate business purposes without such passenger's express, informed, and documented consent.*

c. *All base stations, black car bases, and luxury limousine bases shall comply with the requirements of the information security and use of personal information policy established pursuant to subdivision b of this section and any rules promulgated pursuant to such section.*

d. *The commission shall adopt rules establishing civil penalties of not less than two hundred dollars and not more than one thousand dollars to be assessed against base stations, black car bases, and luxury limousine bases for violations of subdivision c of this section and any regulations promulgated thereunder. Such rules establishing civil penalties shall specify the violations subject to penalty.*

§ 2. This local law shall take effect 90 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation.

Int. No. 659

By Council Members Kallos, Cabrera, Eugene, Gentile, Gibson, King, Wills, Mendez and Rodriguez.

A Local Law to amend the New York city charter, in relation to allowing absentee voters to track the status of their absentee application and ballot.

Be it enacted by the Council as follows:

Section 1. Chapter 46 of the New York city charter is amended by adding a new section 1057-c to read as follows:

§ 1057-c Absentee ballot tracking.

The New York city board of elections shall provide a secure website through which any registered voter who has submitted an application for an absentee ballot, or who otherwise has a right to receive an absentee ballot, for an upcoming election pursuant to the election law may view the current status of their absentee application and absentee ballot. Such website shall not require users to create an account. Such website shall indicate for each such voter whether the New York city board of elections has:

- (1) received such voter's request for an absentee ballot, if applicable;*
- (2) approved or rejected such request, if applicable, and, if rejected, a brief statement of the reason for rejection;*
- (3) mailed or delivered an absentee ballot to such voter for such upcoming election;*
- (4) received such voter's completed absentee ballot for such upcoming election; and*
- (5) counted or rejected such voter's completed absentee ballot for such upcoming election, and, if rejected, a brief statement of the reason for rejection.*

§ 2. This local law shall take effect 120 days following enactment.

Referred to the Committee on Governmental Operations.

Res. No. 573

Resolution calling upon the United States Congress to pass and the President to sign S.40/H.R.196, the Online Competition and Consumer Choice Act, and the Federal Communications Commission to formalize a strong network neutrality policy by reclassifying broadband as a Common Carrier under Title II of the Telecommunications Act of 1934

By Council Members Kallos, Constantinides, Johnson, Lander, Chin and Wills (by request of the Manhattan Borough President).

Whereas, Broadband Internet Access is an essential part of daily life for the residents and businesses of New York City, with broadband networks increasingly relied upon as the basic communications platform, just as telephones and radio were relied upon in the past; and

Whereas, “Network/Net Neutrality” or “Open Internet” has been defined as the principle by which all information and content sent over the Internet should have no priority in its delivery, rather the information and content should be allowed to travel freely so that all users have an equal chance to access any content they wish; and

Whereas, Network/Net Neutrality or Open Internet has been the standard by which the Internet has operated since its inception, a standard which has allowed the Internet to foster competition and innovation, and allowed for small companies to enter the market on the same footing as larger, entrenched companies; and

Whereas, In the past, network providers have delivered data on a “best efforts” basis, which has meant that all data is delivered in the same way and at the same rate with only the Internet traffic at the current time controlling the speed at which it is delivered; and

Whereas, If the Internet were not open, network providers would be free to implement a “tiered” system of content delivery, which could block or slow down services and content from providers that are unwilling or unable to pay the network provider’s fees, or who are in competition with services and content produced by or affiliated with the network provider; and

Whereas, A tiered system would be a deterrent to the continued growth of the Internet and the technology companies that use it, because new and innovative services and content could be priced off the Internet by more mature competitors; and

Whereas, A tiered system would affect consumers by forcing them to only choose from a limited supply of services and content; and

Whereas, In 2005, the Federal Communications Commission (FCC) adopted a policy statement that outlines four principles to guide the Internet’s deployment and use; and

Whereas, the FCC statement declared that, consumers are entitled to access lawful Internet content of their choice, to run applications and use services of their choice, subject to law enforcement needs, to connect to their choice of legal devices that don’t harm the network, and to competition among network providers, application and service providers, and content providers; and

Whereas, The FCC did not have any power to enforce these policies, did not provide any direct endorsement of “Net Neutrality/Open Internet” and did not provide any prohibition to the segregation of internet traffic into payable tiers; and

Whereas, In 2010, the FCC released the Open Internet Order whereby they hoped to establish rules dictating the requirements for transparency, and the prohibition of the use of blocking and discrimination in network access; and

Whereas, In 2014, the D.C. Circuit Court of Appeals decided, in Verizon v. FCC, that the FCC had the authority, under section 706 of the Telecommunications

Act of 1996, to enact measures to encourage deployment of broadband infrastructure, but not to regulate broadband providers as common carriers, such as rules against blocking and discrimination of network access; and

Whereas, Since the early 2000s Congress has introduced multiple bills dealing with the federal regulatory framework for Internet services and content, the powers the FCC has over them and what can be done to ensure the Internet’s continued growth and open access; and

Whereas, To date, Congress has not passed legislation establishing Net Neutrality as the standard for how the Internet is to be operated or denying it; and

Whereas, In 2014, President Barack Obama called for the Internet to be reclassified as a Common Carrier under Title II of the Telecommunications Act of 1934, and

Whereas, Reclassifying broadband as a Title II Common Carrier would afford the FCC greater ability to regulate broadband the same way that telephones and radio are currently regulated; and

Whereas, S.40, sponsored by Senator Patrick Leahy, currently pending in the United States Senate, and companion bill H.R.196, sponsored by Rep. Doris Matsui, currently pending in the United States House of Representatives, seek to require the FCC to prohibit paid prioritization agreements between a broadband provider and a content provider; and

Whereas, S.40/H.R.196 would help prevent the creation of a tiered Internet system ensuring entrepreneurs and small businesses access to the marketplace and ensuring consumers have access to all content equally; and

Whereas, Reclassifying broadband as a Common Carrier under Title II of the Telecommunication Act of 1934 would protect the Internet from practices that would stifle its continued growth and its ability to help small businesses and individuals compete with large established companies; and

Whereas, Without network neutrality, smaller companies and individuals will be unable to afford premium network access which will, thus, hurt competition and the innovation that has been the hallmark of the Internet to date; and

Whereas, Open and non-discriminatory access to the Internet for content providers and consumers is essential for the free exchange of ideas, open discussion, open and transparent government, and an informed citizenry; and

Whereas, The future of the Internet remains in jeopardy until Congress passes meaningful, enforceable protections for network neutrality and the FCC reclassifies broadband as a Title II Common Carrier; 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 S.40/H.R.196, the Online Competition and Consumer Choice Act, and the Federal Communications Commission to classify broadband internet as a Common Carrier under Title II of the Telecommunications Act of 1934.

Referred to the Committee on Technology.

Int. No. 660

By Council Members Lancman, Crowley, Cumbo, Cohen, Eugene, Gibson, Wills and Rodriguez.

A Local Law to amend the New York city charter, in relation to requiring the office to combat domestic violence to provide clients with service satisfaction surveys.

Be it enacted by the Council as follows:

Section 1. Section 19 of the New York city charter is amended by adding a new subdivision g to read as follows:

g.1. For purposes of this subdivision, the following terms shall have the following meanings:

(a) “Family justice centers” means the centers and any successor locations through which the office to combat domestic violence or successor entity provides services to victims of domestic violence.

(b) “Victim status” means domestic violence, sexual abuse, elder abuse, human trafficking or any other category the office to combat domestic violence deems appropriate.

2. The office to combat domestic violence shall provide all individuals with service satisfaction surveys after individuals receive domestic violence services from the family justice centers. Completion of such surveys shall not be mandatory and shall be anonymous. Not later than the first day of November of the year 2015 and annually thereafter, the office to combat domestic violence shall submit to the council all data from service satisfaction surveys completed from July 1 of the prior year to June 30 of the current year which shall be disaggregated by borough and victim status

3. All agencies shall provide upon request from the office to combat domestic violence all information needed for compliance with this subdivision. The office to combat domestic violence shall also make best efforts to ensure that all other entities provide information as may be necessary to carry out the provisions of this subdivision, in accordance with applicable laws, rules and regulations.

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

Referred to the Committee on Women’s Issues.

Int. No. 661

By Council Members Levine, King and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the acceptance of bitcoins for the payment of fines and fees.*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-136 to read as follows:

§ 11-136 *Agreements with financing agencies; payment of fines, civil penalties, fees or charges by bitcoin.* 1. As used in this section, the following terms shall have the following meanings:

a. "Bitcoin" means the software and internet based digital unit of exchange, recorded in a public ledger block chain based on the bitcoin protocol.

b. "Financing agency" means a money service business registered with the United States department of treasury.

2. The city may enter into agreements with one or more financing agencies to provide for the acceptance by the city of bitcoins, via the internet, as an alternate means of payment of fines, civil penalties, fees or charges owed by a person to the city. Any such agreement shall govern the terms and conditions upon which a bitcoin denominated payment proffered as a means of payment of a fine, civil penalty, fee or charge shall be accepted or declined and the manner in and conditions upon which the financing agency shall pay to the city the dollar equivalent amount of fines, civil penalties, fees, or charges pursuant to such agreement. Any such agreement may provide for the payment by the city to such financing agency of fees for the services rendered by such financing agency pursuant to such agreement, which fees may consist of a discount deducted from or payable in respect of the amount of each such fine, civil penalty, fee or charge as the agreement may provide.

3. Notwithstanding any other provision of law to the contrary, any agency or department of the city which, pursuant to an agreement entered into under this section, accepts bitcoins, via the internet, as a means of payment of fines, civil penalties, fees or charges to the city shall be authorized to charge and collect a reasonable and uniform fee as a condition of accepting such bitcoins in payment of a fine, civil penalty, fee or charge. Such fee shall not exceed the cost incurred by the agency or department in connection with such bitcoin transaction, which cost shall include any fees payable by the city to the financing agencies.

§ 2. This local law shall take effect one hundred eighty days after its enactment, except that the commissioner of finance shall take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Finance.

Int. No. 662

By Council Members Levine, Dromm, Chin, Cohen, Gibson, Rose, Williams, Wills and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to submit quarterly reports relating to the issuance of desk appearance tickets.*Be it enacted by the Council as follows:*

Section 1. Section 14-101 of title 14 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

c. "Desk appearance ticket" shall mean a written notice to appear in criminal court pursuant to article 150 of the penal law of the state of New York that is issued to an arrestee from a police precinct after a copy of the arrestee's fingerprints have been secured.

§ 2. 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. *Desk appearance tickets.* a. The commissioner shall submit to the council and the mayor on a quarterly basis, and post to the department's website on a quarterly basis, a report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, of the number of desk appearance tickets issued broken down by: (i) race of suspect; (ii) gender of suspect; (iii) age of suspect; and (iv) the offense charged, including but not limited to marijuana violations.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Res. No. 574

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation clarifying the bill-aging requirements contained in state law and the New York City Charter.

By Council Members Levine, Constantinides, Palma, Ulrich and Rodriguez.

Whereas, The City Charter specifies that a copy of a printed bill be "upon the desks of the Council Members at least seven calendar days, exclusive of Sundays, prior to its final passage" (a process known as "aging" a bill); and

Whereas, Taking advantage of technological advances, in 2013, the New York State Legislature passed a bill to allow local legislatures to distribute bills electronically, eliminating the need to have printed copies on legislators' desks; and

Whereas, In 2014, New York State voters approved a referendum that applies the same standard to the distribution of the State Legislature's bills; and

Whereas, The intent of these laws is to reduce the use of millions of sheets of paper used to print bills across New York State each year, and to improve efficiency by reducing staff time spent on printing and distributing physical copies; and

Whereas, In accordance with its commitment to environmental protection and administrative efficiency, the Council wishes to implement an improved system by which legislation is aged electronically rather than in paper form; and

Whereas, However, the law specifies that a bill has to be "available for review [electronically] at the desks of the members;" and

Whereas, The meaning of such language is ambiguous and poorly defined, leaving an open question as to whether such language requires that a screen capable of displaying a digital document be permanently affixed to the desk of each Council Member, or whether the statutory requirements can be met in a less onerous way; and

Whereas, There are not currently screens capable of displaying a digital document permanently affixed to the desk of each Council Member, and procuring such screens would require a considerable expense; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation clarifying the bill-aging requirements contained in state law and the New York City Charter.

Referred to the Committee on Governmental Operations.

Int. No. 663

By Council Members Miller, Richards, Crowley, Arroyo, Gentile, Maisel, King, Palma, Wills, Espinal, Barron, Eugene, Cabrera, Kallos, Cornegy, Ignizio, Matteo and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the right of way of pedestrians and bicyclists.*Be it enacted by the Council as follows:*

Section 1. Section 19-190 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. This section shall not apply to operators of any bus duly authorized to operate in the city by the New York transportation authority. For purposes of this section, "bus" shall mean, "every motor vehicle having a seating capacity of more than fifteen adults, in addition to the operator and used for the transportation of persons."

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

Referred to the Committee on Transportation.

Int. No. 664

By Council Members Miller, Kallos, Gibson, Richards, Lancman, King and Maisel.

A Local Law to amend the New York city charter in relation to using a machine readable format for the department of citywide administrative services' quarterly provisional employee report.*Be it enacted by the Council as follows:*

Section 1. Subdivision e of section 814 of the New York city charter is amended to read as follows:

e. The commissioner shall submit a quarterly report to the mayor, the council, the civil service commission and the equal employment practices commission, and post such report on the city's website. Such report shall be in a non-proprietary format that permits automated processing and specify, by agency and by title, including temporary titles:

(1) the number of provisional employees at the end of the second month of the quarter;

(2) the length of time such provisional employees have served in their positions; and

(3) the actions taken by the city to reduce the number of such provisional employees and the length of their service in such positions. Such reports shall be submitted by the last day of March, June, September, and December of each year.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 665

By the Public Advocate (Ms. James) and Council Members Chin, Gibson, King and Richards.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report information gathered by ShotSpotter technology.

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. *ShotSpotter.* a. For the purposes of this section, the term “ShotSpotter” shall mean a tool that instantly notifies the department of gunshots with real-time data.

b. The commissioner shall post to the department’s website on a quarterly basis the information detected by ShotSpotter technology, including: (i) where gunshots are fired; (ii) when gun shots are fired; (iii) intelligence detailing the number of shooters and the number of shots fired; (iv) any other data detected by ShotSpotter technology.

§2. This local law shall take effect immediately.

Referred to the Committee on Public Safety.

Int. No. 666

By Council Members Reynoso, Richards, Constantinides, Espinal, Mendez and Rodriguez.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting a nonwoven disposable product from being advertised, packaged or labeled as flushable or sewer or septic safe unless it passes a third party test that is approved by the commissioner of environmental protection.

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

SUBCHAPTER 13

NONWOVEN DISPOSABLE PRODUCTS

§ 20-699.7 Definitions.

§ 20-699.8 Testing.

§ 20-699.9 Enforcement.

§ 20-699.10 Exceptions.

§ 20-700 Definitions. When used in this subchapter:

“Advertised” means representations made by statement, word, design, device, sound or any combination thereof in print or broadcast media.

“Flushable”, “septic safe”, and “sewer safe” mean, with regard to a nonwoven disposable product, a product that is: (i) able to clear toilets and properly maintained drainage pipe systems under expected product usage conditions; (ii) compatible with wastewater conveyance, treatment, reuse, and disposal systems without causing blockage, clogging, or other operational problems; and (iii) unrecognizable in effluent leaving on-site and municipal wastewater treatment systems and in digested sludge from wastewater treatment plants that are applied to soil.

“Label” means those representations made through statement, word, picture, design or emblem on the packaging of a nonwoven disposable product.

“Nonwoven disposable product” means any product constructed from nonwoven sheets that is designed for, marketed for, or commonly used for personal hygiene purposes.

§ 20-701 Advertising and labeling. No nonwoven disposable product for sale in New York city shall be advertised, packaged, or labeled as flushable, sewer safe, or septic safe that has not first been approved as flushable by a third party according to rules promulgated by the department of environmental protection and approved by the commissioner of the department of environmental protection.

§ 20-702 Enforcement. Any person who violates this subchapter shall be subject to a civil penalty of not more than five thousand dollars for each violation. Such penalties may be recovered in proceedings before the environmental control board or the administrative tribunal of the department of consumer affairs or in an action in any court of appropriate jurisdiction.

§ 20-703 Exceptions. Nothing in this subchapter shall apply to:

a. A television or radio broadcasting station, or to any publisher of a newspaper, magazine, or other form of printed advertising, that broadcasts, publishes, or prints an advertisement that features a nonwoven disposable product packaged or labeled as flushable, sewer safe, or septic safe; or

b. a wholesaler or retailer that distributes or sells but does not package or label a nonwoven disposable product that is advertised, packaged, or labeled as flushable, sewer safe, or septic safe.

§ 2. This local law shall take effect one year after its enactment except that the commissioner of the department of environmental protection shall take such measures as are necessary for its implementation including the promulgation of rules prior to such effective date.

Referred to the Committee on Environmental Protection.

Int. No. 667

By Council Members Rodriguez and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to conduct a feasibility study concerning placing sensors on public waste receptacles.

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-141 to read as follows:

§ 16-141 Feasibility study concerning placing sensors on public waste receptacles. No later than January first, two thousand seventeen, the department shall:

a. Conduct a study of the feasibility of placing sensors on public waste receptacles to alert the department when the receptacle has been filled to capacity, which study shall include a cost-benefit analysis of placing such sensors on public waste receptacles citywide, including a calculation of the additional department employee hours and extra trucks that would be necessary to promptly empty receptacles once capacity was reached, if any, and an analysis of the expected environmental impact of using such sensors, including any environmental impacts expected to be caused by such extra trucks; and

b. Report on the findings of such study to the mayor and council.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 668

By Council Members Rodriguez, Weprin, Richards and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to lower emission taxis and for hire vehicles.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 19-532 of chapter 5 of title 19 of the administrative code of the city of New York, is amended to read as follows:

b. Of the total number of taxicab licenses issued by the commission pursuant to subdivision a of this section, at least nine percent shall be issued subject to the requirement that the vehicles operated by or under agreement with the owners of such licenses [either] be powered by compressed natural gas or electricity or be a hybrid electric vehicle, or a vehicle model which has the same emissions as or fewer emissions than electric vehicles, and at least nine percent shall be issued subject to the requirement that the vehicles operated by or under agreement with the owners of such licenses be fully accessible to persons with disabilities in accordance with standards established by the commission; provided however, of the licenses authorized to be sold pursuant to subdivision a of this section that are issued after June 1, 2006, two hundred fifty-four shall be issued subject to the requirements that the vehicles operated by or under agreement with the owners of such licenses [either] be powered by compressed natural gas or electricity or be a hybrid electric vehicle, or a vehicle model which has the same emissions as or fewer emissions than electric vehicles, and fifty four shall be issued subject to the requirement that the vehicles operated by or under agreement with the owners of such licenses be fully accessible to persons with disabilities in accordance with standards established by the commission; and provided further that if the prices which the commission is able to obtain for issuance subject to either of the foregoing requirements does not exceed ninety percent of the average price otherwise obtained by the commission for the issuance of licenses pursuant to this section, the commission is authorized to issue such licenses without such requirement.

§2. Section 19-533 of chapter 5 of title 19 the administrative code of the city of New York is amended to read as follows:

§19-533 Clean air taxis. a. The commission shall approve one or more hybrid electric vehicle models for use as a taxicab within ninety days after the enactment of this law. The approved vehicle model or models shall be eligible for immediate use by all current and future medallion owners. For the purposes of this chapter, a hybrid electric vehicle shall be defined as a commercially available mass production vehicle originally equipped by the manufacturer with a combustion engine system together with an electric propulsion system that operates in an integrated manner.

b. Notwithstanding subdivision a of this section, an electric vehicle model, a compressed natural gas model or any other model with the same emissions as or fewer emissions than an electric vehicle may be used to satisfy the requirements of subdivision a. For the purposes of this chapter, an electric vehicle shall be defined as a vehicle which is propelled by a motor or motors powered exclusively by electricity.

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

Referred to the Committee on Transportation.

Int. No. 669

By Council Members Rodriguez, Richards and Mendez.

A Local Law in relation to a pilot program for the use of sensor-enhanced public litter baskets.

Be it enacted by the Council as follows:

Section 1. a. Definitions. Whenever used in this section:

- i. "Commissioner" means the commissioner of sanitation.
 - ii. "Department" means the department of sanitation.
 - iii. "Sensor-enhanced litter basket" means a public litter basket capable of autonomously determining the amount of refuse it currently contains or its current proximity to full capacity and reporting that information in real-time to the department.
- b. Not later than January 1, 2016, the commissioner shall establish a one-year pilot program for the use of sensor-enhanced litter baskets on city streets which shall include, but not be limited to, the following:
- i. The replacement of all public litter baskets with sensor-enhanced litter baskets in at least two separate contiguous geographic areas, representing no less than one sanitation district each and each containing at least one heavily trafficked commercial area and one residential area;
 - ii. For the first three months of such pilot program, not to include the months of December, January or February, the sensor-enhanced litter baskets shall be collected, but no changes in collection routes or department operations shall be made, to establish a baseline; and
 - iii. After the third month of the pilot program, the sensor-enhanced litter basket capacity data shall be used to more efficiently plan department operations and truck routes to minimize the amount of time any particular basket is at full capacity and maximize the productivity of individual truck routes.
- c. Within six months of the conclusion of the sensor-enhanced litter basket pilot program required by subdivision b of this local law, the commissioner shall submit a report to the mayor and the speaker of the council assessing the efficacy of such pilot program including, but not limited to, the following: a statistical comparison of the data from the baseline period to the subsequent experimental phase, a description of all modifications to department operations and truck routes that were attempted during the program and the result of each, an estimate of any potential cost savings and reduction in overall fleet vehicle emissions from a permanent adoption of the technology, and recommendations on whether and how the technology could best be utilized in a permanent program.
- §2. This local law shall take effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 575

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation making it a felony to assault a driver licensed by the Taxi and Limousine Commission.

By Council Members Rodriguez, Chin, Gentile, Johnson and Wills.

Whereas, The solitary and often cash-based nature of their work make drivers of vehicles licensed by the Taxi and Limousine Commission (TLC) particularly vulnerable to violence resulting from disgruntled passengers and robberies; and

Whereas, According to a 2010 United States Department of Labor study, taxi and for-hire vehicle drivers are 20 times more likely than other workers to be murdered on the job; and

Whereas, Several notable assaults on taxi and for-hire vehicle drivers in New York City have occurred in recent years, including a driver who was punched and slashed with a box cutter in the Bronx in October 2013 and a driver who was violently hit in the face with a skateboard in Manhattan in June 2014; and

Whereas, Section 120.05 of the New York State Penal Law makes it a felony to assault and injure many different types of professionals who serve the public, including transit workers, traffic enforcement agents, and nurses; and

Whereas, Due to the vulnerable nature of their work, and considering the vital service they provide to the City, TLC-licensed drivers deserve the same protections; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation making it a felony to assault a driver licensed by the Taxi and Limousine Commission.

Referred to the Committee on Transportation.

Res. No. 576

Resolution declaring the City of New York a "TPP-Free Zone" and urging Congress not to grant President Obama "fast-track" authority over, or permission to sign, the Trans-Pacific Partnership free trade agreement.

By Council Members Rosenthal, Richards and Rodriguez.

Whereas, The Trans-Pacific Partnership (TPP) is a free trade agreement currently being negotiated between the United States, Canada, Australia, Chile, Mexico, Malaysia, Peru, Singapore, Vietnam, Brunei, New Zealand, and Japan; and

Whereas, Together, these nations contribute 40% of the world's Gross Domestic Product, and one third of the world's trade; and

Whereas, The Office of the United States Trade Representative, through the terms of the TPP, is seeking to eliminate both tariff and non-tariff "barriers to goods and services trade and investment" among the twelve participating nations; and

Whereas, It has been reported that the agreement would include provisions concerning financial regulations, environmental protection, prescription drug pricing and food sanitation standards, the adoption of which could negatively affect the public's health, safety and welfare, and require an overhaul of America's domestic legal system; and

Whereas, The exact terms of this proposed agreement have not been disclosed to the public, with most known details having been ascertained through unapproved 'leaks' from stakeholders; and

Whereas, Article II, Section 2 of the United States Constitution empowers the President of the United States "by and with the advice and consent of the Senate, to make treaties, provided two thirds of Senators present concur"; and

Whereas, While some members of Congress have been able to view certain sections of the negotiation text of the TPP, they have been prohibited from sharing what they saw with the public or with their staffers; and

Whereas, President Obama has pressed Congress to provide "trade promotion authority," or "fast track" authority, which would allow Congress only an up-or-down vote on the agreement once it has been negotiated by the executive branch with the other nations; and

Whereas, If Congress were to grant President Obama "fast track" authority, then decisions surrounding the TPP agreement could be made with inadequate transparency and public review; and

Whereas, Congress would be unable to enact substantive changes to the agreement if it only exercises its oversight powers after negotiations have been completed; and

Whereas, There are concerns that the TPP's investor-state dispute settlement clauses, which were 'leaked' in 2012, could grant international corporations the right to sue the federal government for damages if environmental, worker protection, food safety, or other local, state or federal regulatory safeguards do not guarantee their ability to profit from their investments; and

Whereas, Over 500 employees of these same corporations maintain positions on U.S. Trade Representative advisory panels, which allows them to act as advisors to the drafting of the TPP; and

Whereas, The corporate advisors' apparent conflict of interest could ultimately result in a trade agreement that undermines the regulatory and legal systems that keep everyday residents of New York City safe and healthy; and

Whereas, As the negotiations currently stand, there are concerns that the passage of the TPP would ban "Buy American" and "Buy Local" efforts by U.S. industries, which could put goods and services created and based in New York City at a competitive disadvantage; and

Whereas, Neither the National League of Cities nor the U.S. Conference of Mayors has been included in TPP negotiations, making it difficult to know whether New York City's quality of life or financial and legal interests are being considered; and

Whereas, Some constituencies and public policy advocates, such as the Economic Policy Institute, have expressed concern that over the last twenty years, the domestic economy has been hurt and upwards of one million American jobs have been lost as a result of agreements such as the TPP, in part, because partnering nations have cheaper labor workforces and less rigorous environmental regulations, providing incentive for American companies to outsource and offshore American jobs; and

Whereas, Several other American municipal governments, such as the Berkeley, California City Council and the Dane County, Wisconsin Board of Supervisors, have expressed their opposition to the TPP by declaring themselves "TPP-Free Zones," in which the TPP's regulations will not be respected, to the maximum extent allowable by federal and state law; and

Whereas, Resolutions from the City Council of Madison, Wisconsin and the City Council of Los Angeles, California have also declared their opposition to the TPP; and

Whereas, These local governments have recognized the harm that passage of the TPP can create and as a result have shown commendable leadership by opposing a treaty that would do a disservice to their citizens, as well as to New Yorkers; now therefore, be it

Resolved, That the Council of the City of New York declares itself a "TPP-Free Zone" and urges Congress not to grant President Obama "fast-track" authority over, or permission to sign, the Trans-Pacific Partnership free trade agreement.

Referred to the Committee on State and Federal Legislation.

Res. No. 577

Resolution calling upon the Department of Education to amend its Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.

By Council Member Rosenthal, Dromm, Chin, Johnson, Rose, Wills, Mendez and Rodriguez.

Whereas, The Federal No Child Left behind Act requires states to define challenging academic standards and administer high-quality assessments to students to measure progress against expectations for student achievement; and

Whereas, New York State was one of the first states to align standardized tests with the Common Core Standards and 2013 was the first year that students sat for the Common Core aligned test; and

Whereas, New York City elementary and middle school students take yearly state tests in core academic subjects to assess their mastery of the Common Core learning standards; and

Whereas, Yearly test results are one of the factors used to determine whether or not to promote the student to the next grade; and

Whereas, In New York City, the scores dropped drastically in 2013, and only 26% of students in grades 3-8 passed the English test, and only 30% of students in grades 3-8 passed the Math test; and

Whereas, There is a growing opt out movement in New York City and in 2013, 276 families opted out of the state standardized test; and

Whereas, In March of 2014, Chancellor Carmen Farina distributed a guide to school administrators detailing how to communicate with parents who have expressed their desire to opt their child out of the test; the guide stated that the administrator should respect the parents' decision and tell the parents the possible consequences of opting out of the state exam; and

Whereas, Decades of research has shown that parent involvement is critical to student success; and

Whereas, The Department of Education recognizes the importance of parent involvement and has created the parent academy, the parent conference series, and now employs parent coordinators to facilitate parental involvement; and

Whereas, The Parent's Bill of Rights and Responsibilities was created by the Department of Education and is published on the department's website to foster active engagement between parents and schools because the DOE recognizes that children excel when parents work closely with teachers and principals to develop strong partnerships ; and

Whereas, The Parent's Bill of Rights and Responsibilities spells out the rights and responsibilities of parents and families to help ensure that all students get a quality education; and

Whereas, The Parent's Bill of Rights and Responsibilities does not include any information about opting out of the standardized exams; and

Whereas, The Parent's Bill of Rights and Responsibilities can currently be accessed via the DOE's website and is available in several languages but is not distributed to families and caregivers at all public schools; and

Whereas, The Parent's Bill of Rights and Responsibilities should be amended to include information about opting out of standardized tests; and

Whereas, All of New York City parents should have access to the Parent's Bill of Rights and Responsibilities; now therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education to amend the Parent's Bill of Rights and Responsibilities to include information about opting out of high-stakes testing and distribute this document at the beginning of every school year, to every family, in every grade.

Referred to the Committee on Education.

Res. No. 578

Resolution calling upon President Obama to expand upon Executive Order 13672 by requiring all federal grantees to adopt pro-LGBT nondiscrimination policies and practices as a condition prior to receiving federal grant funding.

By Council Members Torres, Chin, Cohen, Johnson and Rodriguez.

Whereas, On July 21, 2014 President Obama signed Executive Order 13672; and

Whereas, Executive Order 13672 amended Executive Orders 11478 and 11246 to include sexual orientation and gender identity in the category of persons protected against workplace discrimination from employers who contract with federal government agencies; and

Whereas, Executive Order 13672 is not applicable to non-contracting recipients of federal grant funding; and

Whereas, According to Grants.Gov, organizations eligible to apply for federal government grants include government organizations, education organizations, public housing organizations, non-profit organizations, for-profit organizations, small businesses, and individuals; and

Whereas, Unless Executive Order 13672 otherwise applies to a grantee, organizations that receive federal grant funding are generally not explicitly prohibited by federal law from discriminating against employees and grant beneficiaries on the basis of sexual orientation or gender identity;

Whereas, According to the Williams Institute, approximately nine million Americans identify as LGBT; and

Whereas, Studies demonstrate that 10% to 44% of LGB people and 52% to 78% of transgender people have experienced discrimination or harassment in the workplace; and

Whereas, According to research done by the Williams Institute, organizations that rely heavily on federal grant funding, such as youth mentoring providers and state and local law enforcement agencies, would benefit from adopting policies prohibiting sexual orientation and gender identity;

Whereas, Prohibiting discrimination based on sexual orientation and gender identity would further the purposes of many federal grant programs;

Whereas, Federal grant funds should not support discrimination and violations of federal civil rights laws;

Whereas, The passage of an executive order prohibiting federal grantees from discriminating on the basis of sexual orientation or gender identity in employment, the provision of services, or in any manner in connection with federal grant funding would guarantee a commitment on the part of the federal government to inclusion and discouraging discrimination against LGBT individuals and their families; and

Whereas, It is of great importance to promote fairness and inclusion of all communities in the workplace; now therefore, be it

Resolved, That the Council of the City of New York calls upon President Obama to take appropriate action to prohibit federal grantees from discriminating on the basis of sexual orientation or gender identity in connection with federal grant funding.

Referred to the Committee on Civil Rights.

Res. No. 579

Resolution calling upon the United States Congress to reintroduce and pass the Toxic Exposure Research Act.

By Council Members Ulrich, Gentile, Rose and Wills.

Whereas, Military personnel have been and continue to be at risk of exposure to toxic substances during overseas military operations not only in combat missions, but also in the destruction and disposal of toxic chemicals; and

Whereas, The United States Department of Veterans Affairs (VA), presumes that exposure to certain substances, such as Agent Orange and herbicides used in the Vietnam War, are linked to illnesses including but not limited to Hodgkin's Disease, Parkinson's Disease, Chronic B-cell Leukemias, Chronic Fatigue Syndrome, Fibromyalgia, Functional Gastrointestinal disorders, and multiple forms of cancer; and

Whereas, Toxins such as Agent Orange have also been shown to cause birth defects in the children of military personnel who came into contact with them during the Vietnam War; and

Whereas, According to the 2008 report by the Research Advisory Committee on Gulf War Veterans' Illnesses, several studies have found birth defects to be more common in the children of Gulf War veterans, with some studies finding birth defects to be two to three times more prevalent in veterans versus nonveterans; and

Whereas, Recognizing the risk to children of some veterans, the VA provides monetary allowances, vocational training and rehabilitation, and VA-financed health care benefits to certain Korea and Vietnam Veterans' birth children who have been diagnosed with spina bifida; and

Whereas, Spina bifida is the only birth defect covered by the VA for children of male veterans of the Vietnam or Korea wars; and

Whereas, The VA covers several birth defects for children of female veterans of the Vietnam War; and

Whereas, The benefits offered by VA are very limited and do not include toxic exposure for veterans of the Gulf War; and

Whereas, The Toxic Exposure Research Act of 2014 (S. 2738/H.R. 5484) (the "Act"), sponsored by Senator Richard Blumenthal (D-CT) and Representative Dan Benishek (R-MI) , would establish a multi-pronged approach to handling the effects of toxic substances on both veterans and their descendants; and

Whereas, The Act would create an advisory board charged with studying and evaluating cases of exposure of current and former members of the Armed Forces to toxic substances; and

Whereas, The Act would direct the VA Secretary (Secretary) to select a VA medical center to serve as the national center for research on the diagnosis and treatment of health conditions of descendants of individuals exposed to toxic substances while serving as members of the Armed Forces that are related to that exposure; and

Whereas, The Toxic Exposure Research Act would direct the Secretary to use the advisory board to determine which health conditions likely resulted from exposure to toxic substances for purposes of determining those descendants' eligibility for VA medical care; and

Whereas, This legislation would authorize the Secretary of Defense (DOD) to declassify documents related to any known incident in which not less than 100 members of the Armed Forces were exposed to a toxic substance that resulted in at least one case of disability; and

Whereas, The Toxic Exposure Research Act would also direct the Secretary, the Secretary of Health and Human Services (HHS), and the DOD Secretary to jointly conduct a national outreach and education campaign directed at members of the Armed Forces, veterans, and their family members to communicate information on the national research center, incidents of exposure to toxic substances, health conditions resulting from such exposure, and the potential long-term effects of such exposure; and

Whereas, This bipartisan legislation, sponsored by 20 Democrats and 10 Republicans, would allow eligibility for benefits to be determined by the latest research, which is constantly evolving and improving, rather than an outdated program with rigid eligibility requirements; and

Whereas, The 2013-14 federal legislative session ended without passage of S. 2738/H.R. 5484; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to reintroduce and pass the Toxic Exposure Research Act.

Referred to the Committee on Veterans.

Int. No. 670

By Council Members Vacca, Chin, Cohen, Constantinides, Kallos, Wills and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to modifying the 311 website so that customers can store and track all requests regardless of how the requests are submitted.

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-303 to read as follows:

§ 23-303. *311 online customer accounts. The 311 website shall provide customers with the option of creating a unique online customer account that will enable customers to store and track the 311 requests that they submit through any approved method.*

§ 2. This local law shall take effect 180 days after it shall have become a law, except that the director of the mayor's office of operations shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Technology.

Int. No. 671

By Council Members Vallone, Arroyo, Eugene, Wills, Van Bramer, Richards, Ferreras, Dromm, Gibson, Williams, Koslowitz, Crowley, Cumbo, Cabrera, Vacca, Constantinides, Torres, Cohen, Deutsch, Rose, Weprin, Gentile and Mendez.

A Local Law to amend the administrative code of the city of New York, in relation to requiring countdown pedestrian signals at intersections adjacent to schools and parks.

Be it enacted by the Council as follows:

Section 1. Subchapter 3 of title 19 of the administrative code of the city of New York by adding a new section 19-188.1 to read as follows:

§ 19-188.1 *Pedestrian signals near schools and parks. a. Definitions. For the purposes of this section, the following terms shall have the following meanings:*

1. "School" means any buildings, grounds, facilities, property, or portion thereof in which educational instruction is provided to at least two hundred and fifty students at or below the twelfth grade level.

2. "Park" means any park under the jurisdiction of the department of parks and recreation.

3. "Pedestrian countdown signal" mean any automated digital reading that counts down seconds until a pedestrian may no longer safely cross the street.

b. *If needed the department shall annually install not less than one hundred pedestrian countdown signals at intersections with traffic control signal indicators that are adjacent to a school or park.*

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

Referred to the Committee on Transportation.

Res. No. 580

Resolution in support of S.2456, which would amend the New York State Penal Law by establishing the offense of forcible touching against a child.

By Council Members Vallone and Rose.

Whereas, Currently, New York State Penal Law ("Penal Law") Section 130.52 is used to prosecute individuals who intentionally and for no legitimate purpose forcibly touch the sexual or intimate parts of a person to degrade or abuse their victim or to gratify themselves; and

Whereas, Violation of Section 130.52 is a class A misdemeanor penalty, which may include up to one year in jail; and

Whereas, Currently there is no Penal Law section that specifically addresses the crime of forcible touching of a child less than thirteen years of age; and

Whereas, Improperly touching any individual is egregious and unacceptable, the legislation recognizes the particularly heinous nature of sex crimes committed against children and seeks to protect children from sexual predators; and

Whereas, S.2456, introduced by New York State Senator Michael Gianaris, would amend the Penal Law by establishing the offense of forcible touching against a child; and

Whereas, S.2456 would establish the crime of forcible touching of a child less than thirteen years of age as a class E felony; and

Whereas, An individual convicted of engaging in forcible touching, including squeezing, grabbing or pinching of child less than thirteen years of age would be subject to up to four years in prison; and

Whereas, All individuals, especially children, must be protected from sex predators to the fullest extent; now, therefore, be it

Resolved, That the Council of the City of New York supports S.2456, which would amend the New York State Penal Law by establishing the offense of forcible touching against a child.

Referred to the Committee on Public Safety.

Res. No. 581

Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a real property tax credit for small business owners who own their properties and for commercial landlords who retain tenants.

By Council Members Van Bramer, Cornegy, Chin, Constantinides, Dickens, Eugene, Rose and Vallone.

Whereas, The characters of New York City's neighborhoods are often defined by the long-term business establishments that have served the area for many years; and

Whereas, Many of those businesses are small businesses whose owners own the property in which the business is located; and

Whereas, As real estate prices in the City climb, many of those small business owners are induced to close or relocate their businesses outside of the City and to sell their properties to large developers; and

Whereas, The City's commercial spaces are continuously commanding higher and higher rents that many long-term tenants can no longer afford; and

Whereas, According to Crain's New York Business, the average asking Spring retail rent in Manhattan rose from \$87 per square foot in 2002 to \$114 per square foot in 2012; and

Whereas, Crain's also reports that between 2013 and 2014, the average asking Spring retail rent on Fifth Avenue in Manhattan rose nearly 20% and those on Madison Avenue spiked nearly 30%; and

Whereas, It is not only in well-established retail areas of the City that the rents are becoming unaffordable; and

Whereas, According to a report released by CPEX Real Estate Services in May 2014, 9 of the retail corridors in Brooklyn tracked by the report saw at least a 100% increase in pricing since 2009; and

Whereas, As a specific example, the retail pricing per square foot on Court Street in Brooklyn has risen from \$35-\$50 in 2009 to \$100-\$199 in 2014 as the retail corridor transitioned from mostly mom-and-pop shops to national retailers; and

Whereas, As many of New York City's neighborhoods are quickly changing and increasingly becoming more gentrified, there is greater pressure on long-term small business owners to sell their properties to large developers and for commercial landlords to rent their spaces to larger, national chain stores that can afford to pay higher rents instead of retaining the long-term tenants who are already in place; and

Whereas, No real property tax incentives currently exist for small business owners to keep their small businesses located in the City for long periods of time rather than selling the properties and moving the businesses elsewhere; and

Whereas, Similarly, no real property tax incentives currently exist for commercial landlords to retain existing small and local businesses rather than to terminate the tenancies and seek higher rents from new tenants; and

Whereas, A real property tax credit granted to a small business owner that would increase over the length of time that the small business owner owns his or her property would create an incentive to remain in business at a particular location; and

Whereas, A real property tax credit granted to a commercial landlord that would increase based on the length of time that a particular commercial tenant had been operating its business out of the property would create an incentive for the landlords to retain long-term tenants;

Whereas, Any real property tax credit granted to a commercial landlord should be contingent on a portion of the savings being passed onto the retained tenant in the form of a credit on rent; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation establishing a real property tax credit for small business owners who own their properties and for commercial landlords who retain tenants.

Referred to the Committee on Finance.

Int. No. 672

By Council Member Weprin.

A Local Law to amend the administrative code of the city of New York, in relation to portable storage containers

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 a new section 28-505 to read as follows:

§ 28-505 *Permit for portable storage containers. a. For the purposes of this section, "portable storage container" shall mean any weather resistant box-like container transported by truck or trailer to a desired location and designed for the outdoor storage of personal property of household goods for temporary use only. For the purposes of this section, dumpsters, the trailer portion of a tractor-trailer, or prefabricated sheds shall not be considered a portable storage container.*

b. No person shall place a portable storage container on residential property unless a permit for such container has been issued by the commissioner. Such permit shall be for a period of no more than six months and may be renewed for an additional six month period at the discretion of the commissioner. A person shall be allowed no more than one permit for any five-year period.

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

Referred to the Committee on Housing and Buildings.

Int. No. 673

By Council Members Williams, Chin, Eugene and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to access to the translation feature of city websites.

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. CITY WEBSITES
§23-801 Access to translation*

§ 23-801 *Access to translation. Every city or agency website shall include an option to view the text of that website, wherever practicable, in languages other than English. The text of the button, link or other feature used to access that translation option shall be displayed in no less than the seven most commonly spoken languages within the city as determined by the department of city planning. Such display may be achieved by dynamic rotation between languages.*

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

Referred to the Committee on Technology.

L.U. No. 173

By Council Member Greenfield:

Application No. C 140353 ZSM submitted by 102 Greene Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the applicable district bulk and use regulations to allow for residential use and an enlargement on the property located at 102 Greene Street, within the Soho Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

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

L.U. No. 174

By Council Member Greenfield:

Application No. C 130066 ZSM submitted by Goose Mountain NYC, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify the applicable district use regulations to allow residential use on the property located at 498 Broome Street, within the Soho Cast-Iron Historic District, Borough of Manhattan, Community Board 2, Council District 1. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

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

L.U. No. 175

By Council Member Greenfield:

Application No. C 150076 ZMK submitted by Lula Enterprises, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22c, establishing a C2-4 District within an existing R5 District, in the area of Fort Hamilton Parkway and East 4th Street, Borough of Brooklyn, Community Board 7, Council District 39.

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

L.U. No. 176

By Council Member Greenfield:

Application No. C 140288 ZMK submitted by Fort Hamilton, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 22a and 22c, changing an existing R5 District to an R6 District and establishing a C1-3 District within the proposed R6 District, in the area of Fort Hamilton Parkway and 54th Street, Borough of Brooklyn, Community Board 12, Council District 38.

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

L.U. No. 177

By Council Member Greenfield:

Application No. 20155270 HKQ (N 150202 HKQ) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Central Ridgewood Historic District (List No. 477, LP-2448), Borough of Queens, Community Board 5, Council District 30.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Siting and Maritime Uses.

L.U. No. 178

By Council Member Greenfield:

Application No. 20155273 HKK (N 150204 HKK) pursuant to Section 3020 of the New York City Charter, concerning the designation by the Landmarks Preservation Commission of the Chester Court Historic District (List No. 478, LP-2567), Borough of Brooklyn, Community Board 9, Council District 40.

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:

Friday, February 13, 2015

Committee on SANITATION AND SOLID WASTE MANAGEMENT10:00 A.M.
Int 495 - By Council Members Levin, Reynoso, Palma, Arroyo, Miller, King, Levine, Chin, Richards, Rosenthal, Torres, Rodriguez, Cumbo, Mendez, Eugene, Dickens, Cabrera, Gibson, Cornegy, Johnson, Lander, Constantinides, Lancman, Cohen and Dromm - A Local Law to amend the administrative code of the city of New York, in relation to reducing permitted capacity at putrescible and non-putrescible solid waste transfer stations in overburdened districts.
Council Chambers – City HallAntonio Reynoso, Chairperson

★ *Deferred*
Committee on GOVERNMENTAL OPERATIONS1:00 P.M.
Int 536 – By Council Members Kallos, Chin, Constantinides and Johnson – A Local Law to amend the New York city charter, in relation to contemporaneous registration and absentee ballot application.
Int _____ By Council Member Kallos – A Local Law to amend the New York city charter, in relation to allowing absentee voters to track the status of their absentee application and ballot.

Council Chambers – City Hall Ben Kallos, Chairperson

Monday, February 16, 2015

President’s Day Observed

Monday, February 23, 2015

★ *Deferred*

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

Agenda to be announced

Council Chambers – City Hall Jumaane D. Williams, Chairperson

Committee on **JUVENILE JUSTICE** **10:00 A.M.**

Oversight – Examining New York City’s Alternative to Detention Services

Committee Room – 250 Broadway, 14th Floor

..... Fernando Cabrera, Chairperson

★ *Deferred*

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

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor

..... Vanessa L. Gibson, Chairperson

★ *Note Topic Addition*

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

Preconsidered Res ___ - By Council Members Barron, The Speaker (Council Member Mark-Viverito), Kallos, Williams and Crowley - Resolution calling upon Congress to pass and the President to sign legislation to implement President Barack Obama’s “America’s College Promise” plan to make two years of community college free to anyone who maintains a 2.5 GPA and calling upon the New York State Legislature to pass and the Governor to sign legislation funding the State’s obligation under the plan.

Committee Room – 250 Broadway, 14th Floor Inez Barron, Chairperson

Tuesday, February 24, 2015

Subcommittee on **ZONING & FRANCHISES** **9:30 A.M.**

See Land Use Calendar

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

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

Int 586 - By Council Members Espinal, Arroyo, Cabrera, Koslowitz and Mealy - 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.

Committee Room – 250 Broadway, 14th Floor

..... Rafael L. Espinal, Chairperson

★ *Addition*

Committee on **FINANCE** jointly with the Committee on Cultural Affairs, Libraries & International Intergroup Relations and

Subcommittee on **LIBRARIES** **10:00 A.M.**

Oversight – Supporting Public Libraries in the City’s Ten-Year Capital Plan

Committee Room – City Hall Julissa Ferreras, Chairperson

..... James Van Bramer, Chairperson

..... Costa Constantinides, Chairperson

Subcommittee on **LANDMARKS, PUBLIC SITING & MARITIME USES** **11:00 A.M.**

See Land Use Calendar

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

Subcommittee on **PLANNING, DISPOSITIONS & CONCESSIONS** **1:00 P.M.**

See Land Use Calendar

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

★ *Addition*

Committee on **HOUSING AND BUILDINGS** jointly with the

Committee on **CONTRACTS** **1:00 P.M.**

Oversight – The Mayor’s Housing Plan: Contractor Employment Practices and Accountability

Council Chambers – City Hall Jumaane D. Williams, Chairperson

..... Helen Rosenthal, Chairperson

★ *Deferred*

Committee on **WATERFRONTS** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor Deborah Rose, Chairperson

Committee on **AGING** **1:00 P.M.**

Oversight - Strengthening NORCs and Exploring New Models for NORCs in New York City

Committee Room – City Hall Margaret Chin, Chairperson

Wednesday, February 25, 2015

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

Oversight – Examining the State of the Port Authority’s New York City Bus Stations, Progress of Renovations, and Impacts on Surrounding Communities

Committee Room – 250 Broadway, 16th Floor

..... Ydanis Rodriguez, Chairperson

Committee on **JUVENILE JUSTICE** **10:00 A.M.**

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor

..... Fernando Cabrera, Chairperson

★ *Deferred*

Committee on **GENERAL WELFARE** **10:00 A.M.**

Agenda to be announced

Council Chambers – City Hall Stephen Levin, Chairperson

Committee on **LAND USE** **11:00 A.M.**

All items reported out of the subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall David G. Greenfield, Chairperson

★ *Note Topic Additions*

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

Oversight - Ensuring English Language Learners Receive Appropriate Educational Services

Res 388 - By Council Members Reynoso, Chin, Johnson, Menchaca, Mendez, Constantinides, Gentile, Cohen, Levin, Rodriguez and Gibson -

Resolution in support of the New York State Education Department’s Elementary and Secondary Education Act Waiver Renewal request that newly arrived English Language Learners be exempted from participating in the English language arts assessments for two years.

Council Chambers – City Hall Daniel Dromm, Chairperson

★ *Addition*

Committee on **COURTS AND LEGAL SERVICES** jointly with the Committee on **VETERANS** and

Committee on **MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, DRUG ABUSE AND DISABILITY SERVICES** **1:00 P.M. OVERSIGHT – EVALUATING THE CITY’S VETERANS TREATMENT COURTS**

Committee Room – City Hall Rory Lancman, Chairperson

..... Eric Ulrich, Chairperson

..... Andrew Cohen, Chairperson

★ *Deferred*

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

Agenda to be announced

Committee Room – 250 Broadway, 14th Floor Antonio Reynoso, Chairperson

★ *Deferred*

Committee on **TECHNOLOGY** **1:00 P.M.**

Agenda to be announced

Committee Room – 250 Broadway, 16th Floor James Vacca, Chairperson

Thursday, February 26, 2015

★ Addition

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

Int 656 - By Council Members Ferreras and Ignizio (by request of the Mayor) –
A Local Law to amend the administrative code of the city of New York, in
relation to the establishment of the South Shore business improvement
district.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City HallJulissa Ferreras, Chairperson

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

.....Agenda – 1:30 p.m.

Whereupon on motion of the Speaker (Council Member Mark-Viverito), the
Public Advocate (Ms. James) adjourned these proceedings to meet again for the
Stated Meeting on Thursday, February 26, 2015.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

*Editor's Local Law Note: Int Nos. 126-A, 571-A, 612-A and 620 (all adopted
by the Council at the January 22, 2015 Stated Meeting) were signed into law by the
Mayor on February 5, 2015 as, respectively, Local Law Nos. 12, 13, 14, and 15 of
2015.*