

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING

of

Wednesday, March 11, 2015, 1:50 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
Margaret S. Chin	Vincent M. Ignizio	Antonio Reynoso
Andrew Cohen	Corey D. Johnson	Donovan J. Richards
Costa G. Constantinides	Ben Kallos	Ydanis A. Rodriguez
Robert E. Cornegy, Jr.	Andy L. King	Deborah L. Rose
Elizabeth S. Crowley	Peter A. Koo	Helen K. Rosenthal
Laurie A. Cumbo	Karen Koslowitz	Ritchie J. Torres
Chaim M. Deutsch	Rory I. Lancman	Mark Treyger
Inez E. Dickens	Bradford S. Lander	Eric A. Ulrich
Daniel Dromm	Stephen T. Levin	James Vacca
Rafael L. Espinal, Jr.	Mark Levine	Paul A. Vallone
Mathieu Eugene	Alan N. Maisel	James G. Van Bramer
Julissa Ferreras	Steven Matteo	Mark S. Weprin
Daniel R. Garodnick	Carlos Menchaca	Jumaane D. Williams
Vincent J. Gentile	Rosie Mendez	Ruben Wills

Absent: Council Member Cabrera.

Excused on Medical Leave: Council Member Mealy.

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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 49 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 Dr. Uma Mysorekar, The Hindu Temple Society of North America, 45-57 Bowne Street, Flushing N.Y. 11355.

[The prayer opens in Hindi before transitioning to English:]

Oh Lord *Ganesha*
who has curved tusk and a strong body
with luster equal to millions of suns,
I pray for your grace to make all our endeavors
succeed without any obstacles.

[The prayer continues in Hindi before transitioning back to English:]

Oh Lord, may all mankind be happy,
all mankind be healthy,
may all mankind experience prosperity,
may none in this world suffer,
let there be peace, peace and peace.
And universal prayer will conclude.
Oh adorable Lord of mercy and love,
salutations and prostrations unto thee.
Thou art omnipresent, omnipotent and omniscient.
Thou art *Satchitananda*.
Thou art existence, knowledge and bliss absolute.
Thou art the Indweller of all beings.
Let us abide in thee forever and ever.

Thank you.

Council Member Koo 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 the following individuals:

Cardinal Edward Egan, former Archbishop of New York, passed away on March 5, 2015 at the age of 82. The Speaker (Council Member Mark-Viverito) acknowledged Cardinal Egan's advocacy for immigration reform and his role in bringing the city together in consolation after the September 11th attacks. She remarked that many New Yorkers had come to his funeral service the previous day to pay their final respects.

The Speaker (Council Member Mark-Viverito) noted the one year anniversary of the East Harlem explosion that took place in her district on March 12, 2014. The explosion leveled two apartment buildings, killed eight individuals, and injured many others. The Speaker (Council Member Mark-Viverito) announced a commemoration of the anniversary would be held the next day at the site to remember the individuals who lost their lives.

* * *

ADOPTION OF MINUTES

Council Member Crowley moved that the Minutes of the Stated Meeting of February 12, 2015 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-242

Communication from the Office of the Public Advocate – Submitting the Report of Activities for the Office of the Public Advocate.

March 6, 2015

VIA MAIL AND E-MAIL

Speaker Melissa Mark Viverito
New York City Council City Hall
New York, NY 10007

Dear Speaker Mark Viverito:

Pursuant to Subdivision (n) of Section 24 of the New York City Charter, I attach the annual report of the Office of Public Advocate, which details the activities of my office for the calendar year of 2014.

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Thank you and best regards,

Letitia James
Public Advocate for the City of New York

CC: Gary Altman, Esq.

Received, Ordered, Printed and Filed.

M-243

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Center Of The World Car Service Corp., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

February 4, 2015

The Honorable Speaker Melissa Mark-Viverito
Attention: Mr. Gary Altman
Council of the City of New York
250 Broadway, 15th Floor
New York, New York 10007

Re: Taxi & Limousine Commission
For-Hire Vehicle Base License approvals

Dear Speaker Mark-Viverito:

Please be advised that on January 29, 2015 the Taxi & Limousine Commission voted to approve the following for-hire vehicle base license applications:

<u>NEW (3):</u>	<u>LICENSE #</u>	<u>COUNCIL DISTRICT</u>
Center Of The World Car Service Corp.	B02804	26
Handi Car Service Corp.	B02805	26
Invasora Express Car Service Corp.	B02808	49
<u>RENEWALS (3):</u>	<u>LICENSE #</u>	<u>COUNCIL DISTRICT</u>
Fast City Car & Limo Svc Inc.	B02311	45
Mathes Service, Inc. d/b/a: Nunu Rochdale Car Service	B02477	28
Mexicana Car Service Inc.	B00889	25
<u>CHANGE OF LOCATION (3):</u>	<u>LICENSE #</u>	<u>COUNCIL DISTRICT</u>
Americana Transportation LLC	B01013	47
Great Express Car & Limousine Service Inc	B02488	20
Huang Hou Car Services Inc. d/b/a: Huang Hou Car Services Inc.	B02111	47
<u>CHANGE OF OWNERSHIP AND LOCATION (1):</u>	<u>LICENSE #</u>	<u>COUNCIL DISTRICT</u>
My Car Service Inc.	B01416	50

The complete application packages compiled for the above bases are available for your review upon request. If you wish to receive a copy please contact Ms. Angelique Meola, Business Licensing Unit, at businessunit@tlc.nyc.gov. Please find enclosed herein the original applications for the approved base stations.

Very truly yours,

Christopher Tormey
 Director of Applicant Licensing
 Licensing and Standards Division

Referred to the Committee on Transportation.

M-244

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Handi Car Service Corp., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-245

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Invasora Express Car Service Corp., Council District 49, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-246

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Fast City Car & Limo Svc Inc., Council District 45, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-247

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Mathes Service, Inc. d/b/a: Nunu Rochdale Car Service, Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes).

Referred to the Committee on Transportation.

M-248

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Mexicana Car Service Inc., Council District 25, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-249

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of location base station license Americana Transportation LLC., Council District 47, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-250

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of location base station license Great Express Car & Limousine Service Inc., Council District 20, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

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M-251

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of location base station license Huang Hou Car Services Inc. d/b/a: Huang Hou Car Services Inc., Council District 47, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

M-252

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a change of ownership and location base station license My Car Service Inc., Council District 50, pursuant to Section 19-511(i), of the administrative code of the city of New York.

(For text of TLC Letter, please see M-243 printed in this Communication from City, County, and Borough Offices section of these Minutes)

Referred to the Committee on Transportation.

LAND USE CALL UPS

M-253

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

Pursuant to Rule 11.20(c) of the Council Rules and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure (ULURP) application nos. C 140408 ZSM and C 140109 ZSM shall be subject to Council review. This item is related to Application no. N 140407 ZRM which is subject to Council review pursuant to Section 197-d(b)(1) of the New York City Charter.

Coupled on Roll Call.

LAND USE CALL UP VOTE

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

Affirmative – Arroyo, Barron, 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, 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) – **49**.

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

During the Land Use Call-up segment of this Meeting, the Public Advocate (Ms. James) acknowledged several education ambassadors from Council District 19 in Queens (represented by Council Member Vallone) who were sitting in the balcony of the Council Chambers. She welcomed these guests and thanked them for coming to the Meeting. Later during the Meeting, the Public Advocate (Ms. James) also acknowledged the presence of former Council Member Domenic Recchia in the Chambers.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Consumer Affairs

Report for Int. No. 458-A

Report of the Committee on Consumer Affairs in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues.

The Committee on Consumer Affairs, to which the annexed amended proposed local law was referred on August 21, 2014 (Minutes, page 3148), respectfully

REPORTS:

Introduction

On March 10, 2015, the Committee on Consumer Affairs, chaired by Council Member Rafael Espinal, will vote on Proposed Introductory Bill Number 458-A (“Int. No. 458-A”), a local law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues. The Committee previously held a hearing on Introductory Bill Number 458 (“Int. No. 458”) on February 9, 2015.

Background

A majority of Americans incur some form of debt to improve their lives and obtain necessary products and services. Between 69%¹ and 75%² of households carry some form of consumer debt. Families borrow money to invest college education, finance a home, or buy a car. Credit cards are often relied upon to fund a special purchase or help cover unexpected expenses. According to the Federal Reserve Board of New York (“FRBNY”), the total debt of American households before the financial crash of 2008 stood at a staggering \$12.68 trillion.³ Overall household debt has fallen in subsequent years, driven primarily by the collapse of the housing market and a 22% reduction of mortgage debt.⁴ All other consumer debt products, however, have continued to grow as households have turned to debt to make up for loss of income. By September of 2014, consumer debts (excluding home loans) reached an all-time high of \$3.2 trillion.⁵ Young adults, those between the ages of 16 and 24, often referred to Generation Y or “millennials,” are faced with the challenge of establishing their careers and their futures against this tough economic landscape.

Of all consumer debt, student loans are growing the fastest. Over 50 million Americans carry student loans, including over 1.3 million residents of New York City.⁶ Student debt grew past credit card debt for the first time in 2010.⁷ In 2011, it surpassed auto loans.⁸ By November of 2014, student loans had reached \$1.3 trillion⁹

¹ Marina Vornovytsky, Alfred Gottschalck, and Adam Smith, *Household Debt in the U.S.: 2000 to 2011*, U.S. Census Bureau, available at <http://www.census.gov/people/wealth/files/Debt%20Highlights%202011.pdf>.

² Jesse Brocker, et al., *Changes in U.S. Family Finances from 2010 to 2013: Evidence from the Survey of Consumer Finances*, Federal Reserve Bulletin, September 2014, available at <http://www.federalreserve.gov/pubs/bulletin/2014/pdf/scf14.pdf>

³ The Center for Microeconomic Data, Household Debt and Credit Report, Federal Reserve Bank of New York, <http://www.newyorkfed.org/microeconomics/hhdc.html#/2014/q3>.

⁴ Allison Schrager, *Consumer Debt Hits An All-Time High*, Bloomberg Business Week, Sept. 30, 2009, available at <http://www.businessweek.com/articles/2014-09-30/consumer-debt-hits-an-all-time-high>.

⁵ Id.

⁶ Federal Reserve Board of New York, *Household Debt and Credit Report for the Second District, Q2 2014*, available at <http://www.newyorkfed.org/regional/regional-hhdc/HHDC-NYC-2014Q2.pdf>.

⁷ Peter Coy, *Student Loans: Debt for Life*, Bloomberg Business Week, Sept. 18, 2012, available at <http://www.businessweek.com/articles/2012-09-06/student-loans-debt-for-life>.

⁸ Id.

and that figure continues to grow at nearly \$3,000 per second.¹⁰ The graduating class of 2014 is currently the most indebted class ever, as was the class before them, and they will likely be surpassed by the next graduating class in June of 2015.¹¹

Yet, as the cost of higher education continues to rise, research continues to show that a four-year degree remains the best bet to a secure financial future.¹² A recent study by the Economic Policy Institute, studying 2013 data from the Department of Labor, found that Americans with a four-year college degree earned 98% more per hour on average than those without.¹³ The wage difference is at a record high, up from 89% five years ago, 85% a decade earlier, and 64% in the early 1980s.¹⁴

The average student loan debt held by New York City's borrowers is \$34,100, which is almost 25% higher than the national average. Upon graduation, more than a quarter of these indebted students are likely to fall behind on that debt.¹⁵ In New York City, 9.7% of consumers with student loans are seriously delinquent, meaning they are at least 90 days behind on their payments.¹⁶

Efforts have been made at various levels of government to respond to the burden of student loan debt. In May of 2014, Senator Elizabeth Warren (D-MA) introduced a bill in Congress that would refinance student debt into a lower interest rate.¹⁷ Two months later, Senator Marco Rubio (R-FL) introduced a bill that would strengthen the already existing income-based repayment programs. On January 18, 2015, Governor Cuomo announced a statewide student loan forgiveness program for graduates of New York schools who continue to live in the State, participate in the federal "Pay As You Earn" program, and earn less than \$50,000 annually.¹⁸

Student loans are among a variety of consumer products that promise to help young people, but carry hidden risks. A mode of transportation is a popular need for young adults first entering the workforce or college. Auto loans have rebounded strongly since the 2008 crash, nearing \$1 trillion by the end of 2014.¹⁹ Auto dealerships are known for aggressively pushing consumers to finance their purchase directly with the dealer rather than explore better options with a bank. This dealer

⁹ Board of Governors of the Federal Reserve System, *Consumer Credit Statistics November 2014*, released Jan. 8, 2015, available at <http://www.federalreserve.gov/releases/g19/current/default.htm>.

¹⁰ *Supra*, note 6.

¹¹ Phil Izzo, *Congratulations to Class of 2014: Most Indebted Ever*, Wall Street Journal, May 16, 2014, available at <http://blogs.wsj.com/numbers/congratulations-to-class-of-2014-the-most-indebted-ever-1368/>.

¹² David Leonhardt, *Is College Worth It? Clearly, New Data Say*, The New York Times, May 27, 2014, available at <http://www.nytimes.com/2014/05/27/upshot/is-college-worth-it-clearly-new-data-say.html>.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Supra*, note 5.

¹⁶ *Supra*, note 5.

¹⁷ Press Release, Elizabeth Warren's Senate website, Senator Warren Joins with Colleagues to Introduce Legislation Giving Students a Fair Shot at an Affordable Education (May 16, 2014) available at http://www.warren.senate.gov/?p=press_release&id=491.

¹⁸ Press Release, New York State Governor's website, 2015 Opportunity Agenda: Restoring Economic Opportunity (January 18, 2015) available at <https://www.governor.ny.gov/news/2015-opportunity-agenda-restoring-economic-opportunity-2>.

¹⁹ Press Release, Federal Reserve Board of New York, New York Fed Report Shows Rises in Auto Loan Originations and Balances, (Aug. 14, 2014) available at <http://www.newyorkfed.org/newsevents/news/research/2014/an140814.html>.

financing can be troublesome, as the interests of the salesman are not fully aligned with the interests of the consumer, and some dealers engage in deceptive practices.²⁰

Additionally, banks and companies offering credit cards market aggressively to young adults and particularly to college students. The percentage of college students who have credit cards increased from 67% in 1998 to 84% in 2008.²¹ In the same time period the number of students who held more than four cards increased from 27% to 50%.²² In response to deceptive practices once rampant on college campuses, Congress included provisions in the Credit CARD Act of 2009 to require disclosure of marketing and fee-sharing arrangements between colleges and credit card companies.²³ The federal Consumer Financial Protection Bureau continues to monitor the transparency of credit cards and debit cards on college campuses.

Young adults are building their future in an increasingly complex world of personal finance. Studies have found that financial education can positively impact consumer behavior²⁴ but also raise questions as to the best mechanisms for delivering the information.²⁵ Statistics suggest there is a need for financial education targeted to young adults. As much as 12% of them are unbanked, 43% have used non-bank methods of borrowing, and 34% have engaged in “three or more costly credit card behaviors.”²⁶ A survey by the Financial Industry Regulatory Authority, found that only 24% of young adults were able to answer four or five questions correctly on a five question financial literacy quiz.²⁷ Young adults seem to be aware of the problem. A Sallie Mae survey of undergraduate students from 2009 finds strong demand for financial education: 84% of respondents wanted more financial education, 60% wished they had more in high school, and 40% expressed a desire for more financial education in college.²⁸ The demand for financial education has likely grown in recent years as the country continues to rebuild from the recession.

²⁰ Top 11 dealer tricks, available at <http://www.bankrate.com/finance/auto/top-11-dealer-tricks-1.aspx>

²¹ *How Students Use Credit Cards*, SallieMae, April 2009, available at http://static.mgnetwork.com/rtd/pdfs/20090830_iris.pdf?1409506732137.

²² Id.

²³ Wei Zhang and Bill Sealy, *Sunshine for college credit card agreements*, Consumer Financial Protection Bureau, Dec. 15, 2014, available at <http://www.consumerfinance.gov/blog/sunshine-for-college-credit-card-agreements/>.

²⁴ *Life After College: Drivers for Young Adult Financial Success*, The University of Arizona, June 2014, available at <http://aplus.arizona.edu/wave-3-report.pdf>.

²⁵ *Examining Financial Education: How Literacy and Interventions Affect Financial Behaviors*, The National Endowment for Financial Education, available at <http://www.nefe.org/Portals/0/WhatWeProvide/PrimaryResearch/PDF/Meta%20Analysis%20Singles%20March%2011.pdf>.

²⁶ Gary Mottola, *The Financial Capability of Young Adults—A Generational View*, FINRA Investor Education Foundation, March 2014, available at <http://www.usfinancialcapability.org/downloads/FinancialCapabilityofYoungAdults.pdf>

²⁷ Supra, note 23.

²⁸ Supra, note 20.

Financial Literacy Outreach and Education at the Local Level

The Office of Financial Empowerment (“OFE”) is a multi-faceted anti-poverty initiative established in 2006 and administered by the Department of Consumer Affairs (“DCA”). In order to increase financial literacy in New York City, OFE established Financial Empowerment Centers (“FEC”) across the five boroughs to offer direct professional counseling either in-person or over the phone on a variety of topics including, but not limited to, debt reduction, improving credit, and opening a bank account.²⁹ OFE’s financial counseling and education initiatives have expanded greatly since 2008, when the first FEC opened in the Bronx. There are now nearly 58 City-wide sites that provide financial education and services to low-income consumers.³⁰

OFE also administers the Financial Education Network (“FEN”), a searchable online database of 240 organizations, agencies and non-profit organizations, all of which provide free and low-cost financial education services.³¹ Additionally, OFE offers trainings to the providers listed on the FEN database. Providers may participate in OFE forums and networking opportunities. As of December 2013, OFE had hosted a total of eighteen FEN forums and trainings to support the “ongoing professional development of FEN partners.”³²

During the February 9th hearing on Int. No. 458, DCA testified that OFE had been involved in several programs directed at educating youth and were supportive of developing targeted outreach on financial literacy for young people.

Analysis of Proposed Int. No. 458-A

Proposed Int. No. 458-A would require DCA to establish outreach and education efforts on consumer issues affecting young adults between the ages of 16 and 24. Such outreach and education would cover consumer products that are commonly relied upon by young adults, including student loans, car loans, and credit cards. Such outreach and education would also provide information related to OFE and its financial education providers. Proposed Int. No. 458-A would require DCA to make any educational materials created pursuant to the local law available to the Chancellor of the City’s public schools and the Chancellor of the City University of New York. The bill further requires DCA to make such materials available on its website in English and in the six languages most commonly spoken by limited English proficient individuals in the City as determined by the Department of City Planning. Proposed Int. No. 458-A would require that educational materials be

²⁹ N.Y.C. Office of Financial Empowerment, Find Counselor/Class, *available at* <http://www.nyc.gov/html/ofe/html/find/find.shtml>, (last accessed on January 23, 2015).

³⁰ N.Y.C. Dep’t of Consumer Affairs Office of Financial Empowerment: Progress Report, 2010-2013, December 2013, *available at* <http://www.nyc.gov/html/dca/downloads/pdf/OFEProgressReport20102013.pdf>.

³¹ Id.

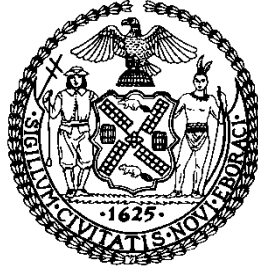
³² Id.

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updated on an annual basis. The education and outreach would commence, and educational materials would be made available on September 1, 2015.

(The following is the text of the Fiscal Impact Statement for Int. No. 458-A:)



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO. 458-A

**COMMITTEE:
CONSUMER
AFFAIRS**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues.

SPONSORS: Council Members Treyger, Barron, Constantinides, Espinal, Gentile, King Rodriguez and the Public Advocate (Ms. James).

SUMMARY OF LEGISLATION: The legislation would require the Department of Consumer Affairs (“DCA”) to engage in outreach and education efforts that specifically target individuals ages 16 to 24 to inform these young adults of consumer issues that are likely to affect them and to provide guidance to young adults as they endeavor to establish financial stability and build their future. The legislation would require DCA to produce educational material that includes information on common consumer products that target young adults, including at a minimum credit cards, student loans, and car loans. The material would also include information about the City’s Office of Financial Empowerment and its partners. The educational material would be available on DCA’s website in English and in the six languages most commonly spoken by individuals with limited English language proficiency. Additionally, DCA would submit the educational materials to the Chancellor of New York City Department of Education (“DOE”) and the Chancellor of the City University of New York (“CUNY”). All educational material would be updated on an annual basis, and updated educational material would be made available on DCA’s website and submitted to the chancellors of DOE and CUNY each year.

Effective Date: The local law would go into effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL YEAR 2015

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY15
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$20,000	\$0	\$20,000
Net	(\$20,000)	\$0	(\$20,000)

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

IMPACT ON EXPENDITURES: According to DCA, there will be a cost of \$20,000 in Fiscal Year 2015 to pay for an outside consultant to design the educational materials which will be updated annually by the agency. Translation will be provided by other City agencies. The law requires that outreach activities and education must include materials posted on the agency's website and provided to the Chancellors of the DOE and the CUNY, which can be achieved with existing resources. Should the agency decide to engage in further outreach and education activities, additional resources may be required and the amount would be dependent on the level and expanse of those activities.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: GENERAL FUND

SOURCES OF INFORMATION: New York City Council Finance Division
New York City Department of Consumer Affairs

ESTIMATE PREPARED BY: Aliya Ali, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 458 on August 21, 2014 and referred to the Committee on Consumer Affairs. A hearing was held by the Committee on February 9, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended legislation,

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Proposed Intro. No. 458-A, will be considered by the Committee on March 10, 2015. Upon a successful vote by the Committee, Proposed Intro. No. 458-A will be submitted to the full Council for a vote on March 11, 2015.

DATE PREPARED: March 9, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 458-A:)

Int. No. 458-A

By Council Members Treyger, Barron, Constantinides, Espinal, Gentile, King, Rodriguez and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 20-706.1 to read as follows:

§ 20-706.1 Outreach and education on consumer protection issues for young adults. The commissioner shall establish and engage in outreach and education efforts that are tailored to individuals ages sixteen to twenty-four. Such outreach and education shall concern consumer issues that are likely to affect individuals ages sixteen to twenty-four including, but not limited to: (a) credit card debt; (b) student loans; and (c) leasing or purchasing a motor vehicle. Such outreach and education shall also provide information related to the department's office of financial empowerment and its financial education providers. The outreach and education required by this section shall commence on September 1, 2015 and shall include educational materials that shall be made available on the department's website, and submitted to the chancellor of the New York city department of education and the chancellor of the city university of New York no later than September 1, 2015. The educational materials made available on the department's website pursuant to this section shall be made available in English and in the six languages most commonly spoken by limited English proficient individuals in the city as determined by the department of city planning. The commissioner shall update the educational materials made available on the department's website on an annual basis and submit such updated materials each year to the chancellor of the New York city department of education and the chancellor of the city university of New York.

§ 2. This local law shall take effect immediately.

RAFAEL L. ESPINAL, Jr., *Chairperson*; VINCENT J. GENTILE, JULISSA FERRERAS, KAREN KOSLOWITZ; Committee on Consumer Affairs, March 10, 2015. Other Council Members Attending: Treyger.

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

Report of the Committee on Education

Report for Int. No. 435-A

Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data regarding students receiving special education services.

The Committee on Education, to which the annexed amended proposed local law was referred on August 21, 2014 (Minutes, page 3103), respectfully

REPORTS:

INTRODUCTION

On Tuesday, March 10, 2015, the Committee on Education, chaired by Council Member Daniel Dromm, will consider Proposed Int. No. 435-A, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education (DOE) to provide data regarding students receiving special education services. This will be the second hearing held by the Committee on this legislation. The first hearing was held on Tuesday, October 28, 2014. At that hearing, the New York City Department of Education, and education advocates provided testimony. Amendments have been made to the bill following the October 28, 2014 hearing.

ANALYSIS

Section one of Proposed Int. No. 435-A would amend the administrative code of the city of New York by adding the following definitions to section 21-950 title 21-A: “English language learner” or “ELL” would mean a student with limited English proficiency as defined in section 154-1.2 of title 8 of the official compilation of the codes, rules and regulations of the state of New York or any successor regulations; “Individualized education program” or “IEP” would have the same meaning as set forth in section 1401 of title 20 of the United States code and any regulations promulgated thereto; “Special education services or programs” or “special education services” would mean specialized instructional services provided by a certified

special education teacher or reading teacher. “Student” would mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a district school or charter school within the city district, not including pre-kindergarten students.

Section two of Proposed Int. No. 435-A would amend the administrative code of the city of New York by adding a new Chapter 5 to title 21-A. The chapter would be entitled “Reporting on Students Receiving Special Education Services.”

Section 21-955 of Chapter 5 of title 21-A would provide the following definitions in a subdivision a for the purposes of this section: “Academic period” would mean the period beginning July 1 of the current calendar year until and including June 30 of the following subsequent calendar year; “Committee on special education” would have the same meaning as set forth in section 200.1 of title 8 of the official compilation of the codes, rules and regulations of the state of New York; “Date of consent” would mean the date on which the department received written consent to conduct an initial evaluation from the parent or person in parental relation; “Date of referral for reevaluation” would mean the date on which the department received a referral or referred a student with a disability for a reevaluation; “IEP meeting” would mean a meeting of the committee on special education for the purpose of determining whether the student is a student with a disability and for the purpose of developing an IEP for any such student with a disability; “Initial evaluation” would mean an evaluation to determine if a student is a student with a disability, conducted pursuant to sections 4401-a and 4402 of the education law and section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York; “Reevaluation” would mean an evaluation of a student with a disability conducted pursuant to section 4402 of the education law and section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York, provided that such term shall not include a three-year reevaluation; “School” would mean a school of the city school district of the city of New York; “Special class” would have the same meaning as set forth in section 200.1 of title 8 of the official compilation of the codes, rules and regulations of the state of New York; “Student” would mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision, not including a pre-kindergarten student or a preschool child as preschool child is defined in section 4410 of the education law; “Student with a disability” would have the same meaning as set forth in section 4401 of the education law, provided that student with a disability shall not include a pre-kindergarten student or a preschool child; and “Three-year reevaluation” would mean a reevaluation that occurs at least once every three years unless otherwise agreed as set forth in section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York.

Subdivision b of new section 21-955 would require that the DOE submit to the council and post on its website, a report, including but not limited to, the following information:

1. the number of referrals for initial evaluations and reevaluations pursuant to

section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

2. the number of initial evaluations conducted, including the number of such evaluations that resulted in a determination that the student was a student with a disability;

3. the number of IEP meetings that were convened less than or equal to sixty calendar days from the date of consent, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

4. the number of IEP meetings that were convened more than sixty calendar days from the date of consent, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

5. the number of reevaluations conducted, including the number of reevaluations that resulted in a determination that the student was no longer a student with a disability;

6. the number of IEP meetings that were convened less than or equal to sixty calendar days from the date of referral for reevaluation, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

7. the number of IEP meetings that were convened more than sixty calendar days from the date of referral for reevaluation, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

8. the total number of students who have an IEP as of June 30 of the reported academic period, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification;

9. the average number of school days between the date the department receives consent from the parent or person in parental relation for the initial provision of special education services as set forth in section 200.5(b)(1)(ii) of title 8 of the official compilation of the codes, rules and regulations of the state of New York and the date the department issues notice of the school that will implement the IEP, provided that this information shall only be reported when the parent or person in parental relation has not consented to defer implementation of the IEP until the following semester or the following school year, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

10. the following information, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level:

(i) the number of reevaluations that resulted in an IEP recommendation of more periods per week in a special class than the student's previous IEP recommendation;

(ii) the number of reevaluations that resulted in an IEP recommendation of fewer periods per week in a special class than the student's previous IEP recommendation;

(iii) the number of reevaluations that resulted in an IEP recommendation of removal from a school that serves students who are not students with disabilities and placement in a separate school for a student not previously recommended for such placement; and

(iv) the number of reevaluations that resulted in an IEP recommendation of placement in a school that serves students who are not students with disabilities for a student previously recommended for placement in a separate school;

11. the number of three-year reevaluations conducted, including the number of such evaluations that were timely conducted, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

12. the number and percentage of students who were receiving special education services:

(i) in full compliance with their IEPs by the end of the academic period; and

(ii) in partial compliance with their IEPs by the end of the academic period;

13. the number and percentage of students who, by the end of the academic period, were receiving in full the services enumerated in subparagraphs (i) through (viii) of this paragraph as recommended on their IEPs, the number and percentage of students who as of the end of the academic period were receiving in part such services, and the number and percentage of students who were awaiting the provision of such services:

(i) monolingual speech therapy;

(ii) bilingual speech therapy;

(iii) monolingual counseling;

(iv) bilingual counseling;

(v) occupational therapy;

(vi) physical therapy;

(vii) hearing education services; and

(viii) vision education services; and

14. the number and percentage of students with IEPs who are recommended for participation in the general education curriculum for:

(i) 80% or more of the day;

(ii) 40-79% of the day; and

(iii) less than 40% of the day.

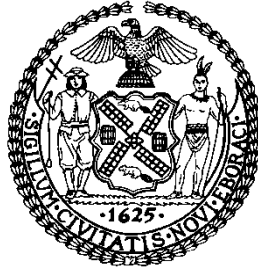
Subdivision c of new section 21-955 would require the Department of Education to submit the report required by subdivision (b), annually, no later than November 1 provided that the first preliminary report, for the academic period beginning July 1, 2014 and ending June 30, 2015 would be submitted and posted no later than February 29, 2016 and the second report for the academic period beginning July 1, 2015 and ending June 30, 2016, would be submitted no later than November 1, 2016.

Subdivision d of section 21-955 would provide that no information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 0 and 5 students, or allows another category to be narrowed to between 0 and 5 students, the number shall be replaced with a symbol.

Section three of Proposed Int. No. 435-A would indicate that if any section, subsection, sentence, clause, phrase, or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

Section four of Proposed Int. No. 435-A would mandate that this local law take effect 60 days after its enactment into law.

(The following is the text of the Fiscal Impact Statement for Int. No. 435-A:)



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO. 435-A

COMMITTEE:
Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data regarding students receiving special education services.

SPONSORS: Dromm, Arroyo, Barron, Chin, Gentile, Koo, Mendez, Cohen, Rodriguez, Lancman, Treyger, Deutsch, Levin, Rosenthal, Richards and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. No. 435-A would require the Department of Education (DOE) to submit to the City Council an annual report regarding students referred for individualized education programs (IEP) and receiving special education services. The bill would require the DOE to provide a preliminary report no later than February 29, 2016, and annually thereafter on November 1st, regarding: (i) the number of referrals for initial evaluations and reevaluations; (ii) the number of initial evaluations conducted that resulted in an IEP recommendation; (iii) the number of IEP meetings that were timely convened within 60 days; (iv) the number of IEP meetings that were convened in more than 60 days; (v) the number of reevaluations conducted where a determination was made that the student no longer needed an IEP; (vi) the number of IEP meetings for reevaluations that were timely convened within 60 days; and (vii) the number of IEP meetings for reevaluations that were convened in more than 60 days.

The legislation would require the DOE to provide information regarding the total number of students with an IEP as of June 30th of the reported academic period. The bill would also require DOE to provide information regarding: (i) the timeframe for providing notice that an IEP will be implemented, after parental consent has been received; (ii) whether students who have been reevaluated receive more or fewer services; and (ii) whether they are in full or partial compliance, or awaiting services at the end of the academic period being reported. The bill would also require the DOE to provide the number and percentage of IEP students who participate in the general education curriculum. The DOE would be required to disaggregate this

information by school district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification.

Effective Date: This local law would take effect sixty days after its enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$488,240*	\$488,240*
Net	\$0	\$488,240*	\$488,240*

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

IMPACT ON EXPENDITURES: * The DOE has provided a detailed cost estimate for the annual report as they believe is specified and required by this legislation. The provided total estimated cost from the DOE is \$3,695,814 which would be fully realized in Fiscal 2016. The breakdown of associated costs is as follows: \$1,373,736 for data collection; \$1,342,320 for data assurance; \$417,690 for data warehouse and data aggregation; \$72,828 for report generation and delivery; \$374,000 for data storage requirements and \$114,240 for project management.

While the Council recognizes DOE currently does not have the capacity to complete the required reporting as specified in the bill, DOE does have a plan for further increased capacity and development of SESIS, which would then provide the capacity for the required reporting. Considering DOE has planned to develop the necessary data systems regardless of this legislation, Council Finance believes the provided estimate from DOE is an overprojection and the actual associated cost is \$488,240. The \$488,240 is the cost of a project manager and 3 part-time business analysts (\$114,240) as well as the cost of the data storage requirement (\$374,000). The annual report requires the storage of data for 5 years which SESIS systems were not prepared to perform. The data storage cost is a sunken cost for the initial year and the ongoing cost will be for project management in the amount of \$144,240.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

March 11, 2015

702

SOURCES OF INFORMATION: New York City Council Finance Division
Department of Education

ESTIMATE PREPARED BY: Norah Yahya, Senior Legislative Financial Analyst
Madina Nizamitdin, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance
Division
Rebecca Chasan, Assistant Counsel, Finance
Division
Tanisha Edwards, Chief Counsel, Finance Division

LEGISLATIVE HISTORY: Intro. No. 435 was introduced by the Council on August 21, 2014 and referred to the Committee on Education. The Committee considered the legislation at a hearing on October 28, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 435-A, will be voted on by the Committee at a hearing on March 10, 2015. Upon successful vote of the Committee, Proposed Intro. No. 435-A will be submitted to the full Council for a vote on March 11, 2015.

DATE PREPARED: March 10, 2015

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 435-A:)

Int. No. 435-A

By Council Members Dromm, Arroyo, Barron, Chin, Gentile, Koo, Mendez, Cohen, Rodriguez, Lancman, Treyger, Deutsch, Levin, Rosenthal, Richards, Rose and the Public Advocate (Ms. James).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data regarding students receiving special education services.

Be it enacted by the Council as follows:

Section 1. Section 21-950 of the administrative code of the city of New York, as added by local law 32 for the year 2014, is amended to read as follows:

§ 21-950 Definitions. Whenever used in this title, *unless otherwise specified*, the following terms shall have the following meanings:

[a.] “Chancellor” shall mean the chancellor of the [New York] city [department of education] *school district of the city of New York*.

[b.] “Department” shall mean the New York city department of education.

“English language learner” or “ELL” shall mean a student with limited English proficiency as defined in section 154-1.2 of title 8 of the official compilation of the codes, rules and regulations of the state of New York or any successor regulations.

“Individualized education program” or “IEP” shall have the same meaning as set forth in section 1401 of title 20 of the United States code and any regulations promulgated thereto.

“Special education services or programs” or “special education services” shall mean specialized instructional services provided by a certified special education teacher or reading teacher.

[c.] “Student” shall mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a district school or charter school within the city district, not including pre-kindergarten students.

§ 2. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 5 to read as follows:

Chapter 5. Reporting on Students Receiving Special Education Services

§21-955 Annual reporting on special education services. a. For the purposes of this section, the following terms shall have the following meanings:

1. “Academic period” shall mean the period beginning July 1 of the current calendar year until and including June 30 of the following subsequent calendar year.

2. “Committee on special education” shall have the same meaning as set forth in section 200.1 of title 8 of the official compilation of the codes, rules and regulations of the state of New York.

3. “Date of consent” shall mean the date on which the department received written consent to conduct an initial evaluation from the parent or person in parental relation.

4. “Date of referral for reevaluation” shall mean the date on which the department received a referral or referred a student with a disability for a reevaluation.

5. “IEP meeting” shall mean a meeting of the committee on special education for the purpose of determining whether the student is a student with a disability and for the purpose of developing an IEP for any such student with a disability.

6. “Initial evaluation” shall mean an evaluation to determine if a student is a student with a disability, conducted pursuant to sections 4401-a and 4402 of the education law and section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York.

7. “Reevaluation” shall mean an evaluation of a student with a disability conducted pursuant to section 4402 of the education law and section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York, provided that such term shall not include a three-year reevaluation.

8. “School” shall mean a school of the city school district of the city of New York.

9. “Special class” shall have the same meaning as set forth in section 200.1 of title 8 of the official compilation of the codes, rules and regulations of the state of

New York.

10. *“Student” shall mean any pupil under the age of twenty-one as of September first of the academic period being reported, who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision, not including a pre-kindergarten student or a preschool child as preschool child is defined in section 4410 of the education law.*

11. *“Student with a disability” shall have the same meaning as set forth in section 4401 of the education law, provided that student with a disability shall not include a pre-kindergarten student or a preschool child.*

12. *“Three-year reevaluation” shall mean a reevaluation that occurs at least once every three years unless otherwise agreed as set forth in section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York.*

b. The department shall submit to the speaker of the council and post on the department’s website an annual report regarding the evaluation of students for special education services and the provision of such services during the preceding academic period, which shall include, but shall not be limited to the following information:

1. the number of referrals for initial evaluations and reevaluations pursuant to section 200.4 of title 8 of the official compilation of the codes, rules and regulations of the state of New York, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

2. the number of initial evaluations conducted, including the number of such evaluations that resulted in a determination that the student was a student with a disability;

3. the number of IEP meetings that were convened less than or equal to sixty calendar days from the date of consent, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

4. the number of IEP meetings that were convened more than sixty calendar days from the date of consent, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

5. the number of reevaluations conducted, including the number of reevaluations that resulted in a determination that the student was no longer a student with a disability;

6. the number of IEP meetings that were convened less than or equal to sixty calendar days from the date of referral for reevaluation, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

7. the number of IEP meetings that were convened more than sixty calendar days from the date of referral for reevaluation, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English

Language Learner status, recommended language of instruction, and grade level;

8. the total number of students who have an IEP as of June 30 of the reported academic period, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification;

9. the average number of school days between the date the department receives consent from the parent or person in parental relation for the initial provision of special education services as set forth in section 200.5(b)(1)(ii) of title 8 of the official compilation of the codes, rules and regulations of the state of New York and the date the department issues notice of the school that will implement the IEP, provided that this information shall only be reported when the parent or person in parental relation has not consented to defer implementation of the IEP until the following semester or the following school year, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

10. the following information, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level:

(i) the number of reevaluations that resulted in an IEP recommendation of more periods per week in a special class than the student's previous IEP recommendation;

(ii) the number of reevaluations that resulted in an IEP recommendation of fewer periods per week in a special class than the student's previous IEP recommendation;

(iii) the number of reevaluations that resulted in an IEP recommendation of removal from a school that serves students who are not students with disabilities and placement in a separate school for a student not previously recommended for such placement; and

(iv) the number of reevaluations that resulted in an IEP recommendation of placement in a school that serves students who are not students with disabilities for a student previously recommended for placement in a separate school;

11. the number of three-year reevaluations conducted, including the number of such evaluations that were timely conducted, disaggregated by district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, and grade level;

12. the number and percentage of students who were receiving special education services:

(i) in full compliance with their IEPs by the end of the academic period; and

(ii) in partial compliance with their IEPs by the end of the academic period;

13. the number and percentage of students who, by the end of the academic period, were receiving in full the services enumerated in subparagraphs (i) through (viii) of this paragraph as recommended on their IEPs, the number and percentage of students who as of the end of the academic period were receiving in part such services, and the number and percentage of students who were awaiting the

provision of such services:

- (i) monolingual speech therapy;*
- (ii) bilingual speech therapy;*
- (iii) monolingual counseling;*
- (iv) bilingual counseling;*
- (v) occupational therapy;*
- (vi) physical therapy;*
- (vii) hearing education services; and*
- (viii) vision education services;*

14. the number and percentage of students with IEPs who are recommended for participation in the general education curriculum for:

- (i) 80% or more of the day;*
- (ii) 40-79% of the day; and*
- (iii) less than 40% of the day.*

c. The annual report required by subdivision (b) of this section shall be submitted and posted no later than November 1, provided that the first report, reporting data for the academic period beginning July 1, 2014 and ending June 30, 2015, shall be submitted and posted no later than February 29, 2016, and the second report, reporting data for the academic period beginning July 1, 2015 and ending June 30, 2016, shall be submitted and posted no later than November 1, 2016.

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. If a category contains between 0 and 5 students, or allows another category to be narrowed to between 0 and 5 students, the number shall be replaced with a symbol.

§ 3. Effect of invalidity; severability. If any section, subsection, sentence, clause, phrase, or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 4. This local law shall take effect sixty days after its enactment.

DANIEL DROMM, *Chairperson*; VINCENT J. GENTILE, DANIEL R. GARODNICK, MARGARET S. CHIN, DEBORAH L. ROSE, MARK S. WEPRIN, ANDY L. KING, INEZ D. BARRON, CHAIM M. DEUTSCH, MARK LEVINE, ALAN N. MAISEL, ANTONIO REYNOSO, MARK TREYGER; Committee on Education, March 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 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 L.U. No. 186

Report of the Committee on Finance in favor of approving Schervier Apartments, Block 5750, Lot 500, Bronx, Community District No.8, Council District No. 11.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on March 11, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

(The following is the text of a Memo sent to the Finance Committee from the Finance Division of the New York City Council:)

March 11, 2015

TO: Hon. Julissa Ferreras
Chair, Finance Committee
Members of the Finance Committee

FROM: Rebecca Chasan, Assistant Council, Finance Division

RE: Finance Committee Agenda of March 11, 2015 - Resolution approving a tax exemption for two Land Use Items (Council Districts 9 and 11)

Item 1: Tweemill Houses

Tweemill House consists of 1 building with 40 units of rental housing for low-income seniors. Milltwee Housing Development Fund Company, Inc. (“HDFC”) developed the project under the Section 202 Supportive Housing Program for the Elderly, with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and a tax exemption from the City. Due to an increase in operating expenses, the HDFC was unable to pay real property taxes starting in 1997.

On November 26, 2013, pursuant to Section 577 of the Private Housing Finance Law, the Council granted the property a retroactive full exemption for the period commencing January 1, 1997 through June 30, 2013. Thereafter, the Council granted a prospective partial exemption from real property taxation for a total real property tax exemption period of 30 years from January 1, 1997. The real property tax exemption was conditioned upon the HDFC and the City’s Department of Housing and Preservation Development (“HPD”) entering into a regulatory agreement within 120 days of the Council’s approval of the exemption. However, HPD and the HDFC did not enter into the regulatory agreement within the 90 day period and, therefore, the exemption expired.

HPD is now requesting that the Council approve a new resolution to grant a real property tax exemption on the same terms, but with the condition that HPD and the HDFC will enter into a regulatory agreement by June 30, 2015 and with the correction of certain technical errors. The regulatory agreement will require that the housing units be rented to individuals and families whose incomes do not exceed 120% of the Area Median Income (“AMI”). In 2013, 120% of AMI was \$103,080 for a family of four, \$92,880 for a family of three, \$82,560 for a family of two, and \$72,240 for an individual.

Summary:

- Council District – 9
- Council Member –Dickens
- Council Member approval – Yes
- Borough – Manhattan
- Block/Lot – 1775/20
- Number of Buildings – 1
- Number of Units – 40
- Type of Exemption – Article XI, full between 1997-2013 and partial between 2013-2027
- Population Served – Rentals for low-income seniors
- Sponsor/Developer – Milltwee HDFC
- Cost of the Exemption over the Full Exemption Period – \$2,578,192
- Open Violations or Outstanding Debt to the City – None

- Income Limitations – rentals are for seniors earning up to 120% of AMI

Item 2: Schervier Apartments

Schervier Apartments consists of 1 building with 155 units of rental housing for low-income senior citizens. The project was originally developed under the Section 202 Supportive Housing Program with financing and operating subsidies from the United States Department of Housing and Urban Development (“HUD”) and a tax exemption from the City. Under the proposed project, Bon Secours New York Housing Development Fund Corporation (“HDFC”) will acquire the property and Schervier Apartments, LLC will be the beneficial owner of and will operate the project. The acquisition and financing of the project will be facilitated by proceeds from the refinancing of the existing mortgage under the HUD Section 223(f) program. In connection with such refinancing, the HDFC, the LLC, and the City’s Department of Housing and Preservation Development (“HPD”) will enter into a regulatory agreement requiring that the housing units be rented to senior citizens whose incomes do not exceed 50% of the Area Median Income (“AMI”). In 2013, 50% of AMI was \$41,950 for a family of four, \$37,800 for a family of three, \$33,600 for a family of two, and \$29,400 for an individual.

On February 26, 2015, pursuant to Section 577 of the Private Housing Finance Law, the Council granted the property a partial 35-year exemption from real property taxation which will be coterminous with the period of the regulatory agreement. However, HPD provided the Council with incorrect information regarding the amount of shelter rent tax that will be paid by the HDFC during the term of the partial exemption. HPD is therefore requesting that the Council approve a resolution correcting this error.

Summary:

- Council District – 11
- Council Member – Cohen
- Council Member notification – Yes
- Borough – Bronx
- Block/Lot – 5750/500
- Number of Buildings – 1
- Number of Units – 155
- Type of Exemption – Article XI, partial 35 years
- Population Served – Rentals for low-income seniors
- Sponsor/Developer – Bon Secours New York HDFC and Schervier Apartments, LLC
- Cost of the Exemption over the Full Exemption Period – \$7,150,555
- Open Violations or Outstanding Debt to the City – None
- Income Limitations – rentals are for seniors earning up to 50% of AMI

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(For text of the coupled resolution for LU No. 187, please see the Report of the Committee on Finance for LU No. 187 printed in these Minutes; for text of the coupled resolution for LU No. 186, please see immediately below:)

Accordingly this Committee recommends the adoption of LU Nos. 186 and 187.

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

Res. No. 626

Resolution approving a partial exemption from real property taxes for property located at (Block 5750, Lot 500) the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 186).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated February 27, 2015 that the Council take the following action regarding a housing project located at (Block 5750, Lot 500) the Bronx (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption”);

WHEREAS, the project description that HPD provided to the Council states that the purchaser of the Project (the “Sponsor”) is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

WHEREAS, the Council has considered the financial implications relating to the Tax Exemption;

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

(a) “Company” shall mean Schervier Apartments, LLC.

- (b) "Effective Date" shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, and (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- (c) "Exemption Area" shall mean the real property located in the Borough of Bronx, City and State of New York, identified as Block 5750, Lot 500 on the Tax Map of the City of New York.
- (d) "Expiration Date" shall mean the earlier to occur of (i) a date which is thirty-five (35) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
- (e) "HDFC" shall mean Bon Secours New York Housing Development Fund Corporation.
- (f) "HPD" shall mean the Department of Housing Preservation and Development of the City of New York.
- (g) "New Exemption" shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
- (h) "Owner" shall mean, collectively, the HDFC and the Company.
- (i) "Prior Exemption" shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on April 28, 1983 (Cal. No. 300).
- (j) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
- (k) "Shelter Rent" shall mean the total rents received from the commercial and rental occupants of the Exemption Area, including any federal subsidy (including, but not limited to, Section 8, rent supplements, and rental assistance), less the cost of providing to such occupants electricity, gas, heat and other utilities.
- (l) "Shelter Rent Tax" shall mean \$250,000 plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the housing project for that year

(as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended), exceed the total contract rents which are authorized as of six (6) months from the Effective Date.

2. The Prior Exemption shall terminate upon the Effective Date.
3. All of the value of the property, including both the land and the improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Commencing upon the Effective Date and during each year thereafter until the Expiration Date, the Owner shall make annual real property tax payments in the sum of the Shelter Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided by an existing or future local, state, or federal law, rule or regulation.
5. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (v) the demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.

- c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
6. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS, *Chairperson*; JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 11, 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 L.U. No. 187

Report of the Committee on Finance in favor of approving Tweemill House, Block 1775, Lot 20, Manhattan, Community District No.11, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on March 11, 2015 and was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for LU No. 186 printed in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 627

Resolution approving an exemption from real property taxes for property located at (Block 1775, Lot 20) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 187).

By Council Member Ferreras.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 19, 2014 that the Council take the following action regarding a housing project located at (Block 1775, Lot 20) Manhattan (“Exemption Area”):

Approve an exemption of the Project from real property taxes pursuant to Section 577 of the Private Housing Finance Law (the "Tax Exemption");

WHEREAS, the project description that HPD provided to the Council states that the owner of the Project (the “Sponsor”) is a duly organized housing development fund company under Article XI of the Private Housing Finance Law;

WHEREAS, the Council has considered the financial implications relating to the Tax Exemption;

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - (a) “Effective Date” shall mean January 1, 1997.
 - (b) “Exemption Area” shall mean the real property located in the Borough of the Manhattan, City and State of New York, identified as Block 1775, Lot 20 on the Tax Map of the City of New York.
 - (c) “Expiration Date” shall mean the earlier to occur of (i) a date which is thirty (30) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the

date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- (d) “HDFC” shall mean Milltwee Housing Development Fund Company, Inc.
 - (e) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - (f) “New Exemption” shall mean the exemption from real property taxation provided hereunder.
 - (g) “Owner” shall mean the HDFC or any future owner of the Exemption Area that is a housing development fund company.
 - (h) “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on April 3, 1986 (Cal. No. 6).
 - (i) “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on and after the execution of such Regulatory Agreement.
 - (j) “Shelter Rent Tax” shall mean the sum of (i) \$61,020, plus (ii) an additional amount equal to twenty-five percent (25%) of the amount by which the total contract rents applicable to the Exemption Area for that year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of December 31, 2013.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating on June 30, 2013.
 4. Commencing upon July 1 2013, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Shelter Rent Tax.

5. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule or regulation.

6. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the owner of the Exemption Area has failed to execute the Regulatory Agreement by June 30, 2015, (iii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iv) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (v) the Exemption Area is conveyed to a new owner without the prior written approval of HPD, or (vi) the demolition of any private or multiple dwelling on the exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.

 - b. The New Exemption shall not apply to any building constructed on the Exemption Area which did not have a permanent certificate of occupancy or an equivalent document satisfactory to HPD recording the occupancy and configuration of the building on the Effective Date.

 - c. Nothing herein shall entitle the HDFC to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

7. In consideration of the New Exemption, the owner of the Exemption Area, for so long as the New Exemption shall remain in effect, shall waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation.

JULISSA FERRERAS, *Chairperson*; JAMES VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, I. DANEEK MILLER, HELEN K. ROSENTHAL, VINCENT M. IGNIZIO; Committee on Finance, March 11, 2015.

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

Report of the Committee on Housing and Buildings

Report for Int. No. 685

Report of the Committee on Housing and Buildings in favor of approving and adopting a Local Law to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws.

The Committee on Housing and Buildings, to which the annexed proposed local law was referred on February 26, 2015 (Minutes, page 627), respectfully

REPORTS:

Introduction

On March 10, 2015, the Committee on Housing and Buildings, chaired by Council Member Jumaane D. Williams, held a hearing to consider Int. No. 685, Res. No. 597, Res. No. 86-A, Res. No. 596-A, and various Preconsidered Resolutions.

The Committee previously considered these pieces of legislation at a hearing on March 2, 2015. The Committee received testimony from representatives of the Department of Housing Preservation and Development (HPD), housing advocates, legal service providers, and other interested members of the public.

Background

There are two forms of rent regulation in New York City: rent control and rent stabilization. Rent control is the older of the two systems and dates back to the federal Emergency Price Control Act of 1942.¹ Rent control primarily applies to dwellings within residential buildings completed before February 1, 1947² and in which a tenant or lawful successor has been living continuously since before July 1, 1971.³ Rent stabilization generally applies to buildings with six or more units built before January 1, 1974.⁴ Both rent regulation systems restrict rent increases and limit evictions.⁵

Renewing Rent Regulation

Under State law, the regulation system will expire in June 2015, unless the City conducts a housing vacancy survey and finds that there is still a housing shortage, defined as a less than 5% vacancy rate.⁶ In addition to conducting the survey, the Council must pass a resolution, finding that, because there is still a housing shortage, there continues to be a need for rent regulation.⁷

HPD recently published the results of the 2014 Housing and Vacancy Survey (HVS).⁸ The current HVS indicates a citywide rental vacancy rate of 3.45%.⁹ According to the HVS, there were approximately 75,000 vacant available rental units in New York City as of the survey period, an increase of approximately 7,000 units since 2011.¹⁰ The Survey also found that the median contract rent, including utility payments, increased by 4.3 percent from \$1,100 in 2011 to \$1,325 in 2014.

Res. No. 597- Determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2015.

As a result of the 2014 HVS finding that the citywide vacancy rate is less than 5%, the City can declare that there is still a need for rent regulation. This resolution states that the New York City Council has determined that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2015 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

Int. No. 685 - In relation to extending the rent stabilization laws.

In addition, to completing the HVS and passing a resolution declaring a continued need for rent regulation and control, the Council needs to update the expiration dates for rent regulation and control.

Bill sections 1 and 2 amend the applicable provisions of the Rent Stabilization Law to reflect extension of its provisions to April 1, 2018.

Section three of this legislation contains the enactment clause and provides that this local law take effect immediately after its enactment.

Repealing Deregulation

Under New York State Law, rent regulated units may be deregulated when the rent hits \$2,500 a month, and the tenant vacates the unit,¹¹ or the tenant is found to have an income above \$200,000 two years in a row.¹² Deregulation significantly decreases the number of affordable housing units in New York City, at a time when the City is facing an affordable housing crisis.¹³ The following resolutions address various ways to repeal deregulation.

Res. No. 596-A- Calling upon the New York State Legislature to pass, and the Governor to approve, A.1865, in relation to repealing vacancy decontrol.

Vacancy decontrol allows units to leave the rent regulation system once the legal regulated rent reaches \$2,500 and the unit is vacated.¹⁴ Available data suggests that between 1994, when vacancy decontrol went into effect, and 2013, 133,173 rent stabilized units were lost to vacancy decontrol.¹⁵ New York State Assembly bill A.1865, would repeal provisions of New York State and New York City statutes that remove apartments from rent stabilization or rent control when such apartments are vacated. It would also bring units that had previously been deregulated back into the rent regulation system. Res. No. 596-A calls upon the New York State Legislature to pass, and the Governor to approve, A.1865, in relation to repealing vacancy decontrol.

Preconsidered Res. No. 619 - Calling upon the New York State Legislature to pass and the Governor to sign legislation that would end deregulation of rent regulated apartments.

Under the rent regulation system, rent increases annually or biannually, and may also be increased when a tenant leaves the unit, when the owner completes an individual apartment improvement, and when the owner completes a major capital improvement.¹⁶ All of these increases mean that rents within regulated units quickly reach \$2,500, resulting in the City losing affordable housing. Preconsidered Res. No. ___ calls upon the New York State Legislature to pass and the Governor to sign legislation that would end deregulation of rent regulated apartments.

Rent Increases

As noted above, once rents for rent-regulated units reach \$2,500 such units may be deregulated. Once this happens, tenants lose all of the eviction protections associated with rent regulation and an owner may raise the rent at will. The following resolutions deal with multiple ways in which rents for rent-stabilized units may be increased, resulting in rents reaching the \$2,500 deregulation threshold and the City losing affordable housing units.

Res. No. 86-A - calling upon the New York State Legislature to pass and the Governor to sign legislation that would create a review process for Individual Apartments Improvement rent increases and make such increases a temporary surcharge rather than a permanent rent increase.

The Individual Apartment Improvement (IAI) rent increase system allows owners to permanently raise the rent for rent regulated units in which improvements were made.¹⁷ This rent increase amounts to 1/40 the cost of the improvements in buildings with 35 or fewer units, and to 1/60 the cost of the improvements in buildings with more than 35 units.¹⁸ Thus, Res. No. 86-A calls upon the New York State Legislature to pass and the Governor to sign legislation that would create a

review process for IAI rent increases and make such increases a temporary surcharge rather than a permanent rent increase.

Preconsidered Res. No. 622 - Calling upon the New York State Legislature to pass and the Governor to sign S.951, which repeals provisions of the Emergency Tenant Protection Act of 1974 that allow a 20 percent rent increase bonus after the vacancy of a tenant in a rent stabilized unit.

New York State Law allows owners a vacancy bonus whereby they may increase the rent of rent stabilized units by 20% each time a unit becomes vacant.¹⁹ This Preconsidered Resolution calls upon the New York State Legislature to pass and the Governor to sign S.951, which repeals provisions of the Emergency Tenant Protection Act of 1974 that allows a 20 percent increase bonus after the vacancy of a tenant in a rent stabilized unit.

Preconsidered Res. No. 625 Calling upon the New York State Legislature to pass and the Governor to sign S.2830, legislation amending the administrative code of the city of New York, the Emergency Tenant Protection Act of 1974 and the Emergency Housing Rent Control Law, in relation to making the Major Capital Improvement (MCI) rent increase a temporary surcharge.

Under New York State Law, where an owner completes a major capital improvement (MCI) required for the operation, preservation or maintenance of a building, he or she may increase the rent over a seven-year period to cover the cost of the improvement, and such increase becomes a permanent part of the legal regulated rent.²⁰ This Preconsidered Resolution calls upon the New York State Legislature to pass and the Governor to sign S.2830, which would make the MCI rent increase a temporary surcharge.

Protecting Tenants

As noted above, the rent regulation system includes a number of protections for tenants regarding rents and evictions.²¹ The following Resolutions deal with strengthening those protections or increasing the number of tenants who have access to such protections.

Preconsidered Res. No. 623 Calling upon the New York State Legislature to pass and the Governor to sign A.398, which will provide rent control tenants relief from high rent increases.

Currently, rent increases in rent stabilized apartments are set by a local Rent Guidelines Board, using a formula that takes into account various economic factors.²² Rents in rent controlled apartments, however, may be automatically raised 7.5% annually.²³ New York State Assembly Bill A.398 would create parity between the systems by only allowing rents in rent-controlled apartments to be raised by the lesser of 7.5% annually or an amount equal to the average of the previous five Rent Guidelines Board increases. Therefore, this Resolution calls upon the New York

State Legislature to pass and the Governor to sign A.398, which will provide rent control tenants relief from high rent increases.

Preconsidered Res. No. 609 -Calling upon the New York State Legislature to pass and the Governor to sign S.2828/A.3809, which prohibits property owners from adjusting the preferential rent amount upon the renewal of a lease for a rent stabilized unit.

Preferential rents occur when a landlord offers a rent stabilized apartment for less than the legal regulated rent,²⁴ generally because the legal regulated rent is higher than the market will bear.²⁵ Under New York State Law, upon any lease renewal a landlord can raise the rent back to the legal regulated rent at will.²⁶ If the legal regulated rent is more than a tenant can pay, the tenant may be forced to leave their home. Therefore, this Preconsidered Resolution calls upon the New York State Legislature to pass and the Governor to sign S.2828/A.3809, which prohibits property owners from adjusting the preferential rent amount upon the renewal of a lease for a rent stabilized unit.

Preconsidered Res. No. 620 - Calling upon the New York State Legislature to pass and the Governor to sign A. 344 in relation to Mitchell-Lama and Project-Based Section 8 developments.

Limited profit housing companies have a right to leave the Mitchell Lama program.²⁷ In addition, owners of rental buildings receiving Section 8 assistance are free to terminate or not renew their Section 8 contracts. The building owners can then charge market-rate rent and if middle income tenants cannot afford to pay this rent they may be forced to leave their homes. New York State Assembly bill, A.344 would allow the City to expand rent regulation to housing accommodations that cease or have ceased to be Mitchell-Lamas or to receive project-based section 8 rental assistance. This Preconsidered Resolution calls upon the New York State Legislature to pass and the Governor to sign S.344 in relation to Mitchell-Lama and Project-based Section 8 developments.

Update

On Tuesday, March 10, 2015, the Committee adopted this legislation. Accordingly, the Committee recommends its adoption.

¹ See Guy McPherson, Rent Regulation in New York City and the Unanswered Questions of Market and Society, 72 Fordham L. Rev. 1125, 1132-1133.

² See: Emergency Housing Rent Control Law §2(2)

³ *Id.*

⁴ See: Emergency Tenant Protection Act of 1974 §5.

⁵ See generally: Emergency Tenant Protection Act of 1974; Emergency Housing Rent Control Law; Local Emergency Housing Rent Control Law; New York City Administrative Code Chapter 3; New York City Administrative Code Chapter 4.

⁶ See: Local Emergency Housing Rent Control Act §1(3); Emergency Tenant Protection Act of 1974 §3.

⁷ *Id.*

⁸ Elyzabeth Gaumer & Sheree West, New York City Department of Housing Preservation and Development, Selected Initial Findings of the 2014 New York City Housing and Vacancy Survey, Feb. 9, 2015.

⁹ *Id.* at 2.

¹⁰ *Id.* at 4.

¹¹ *See*: Emergency Tenant Protection Act of 1974 §4(5)(a)(13).

¹² *See*: Emergency Tenant Protection Act of 1974 §4(5-a); Emergency Housing Rent Control Act2(2)(m).

¹³ Elyzabeth Gaumer & Sheree West, New York City Department of Housing Preservation and Development, Selected Initial Findings of the 2014 New York City Housing and Vacancy Survey, 3, Feb. 9, 2015.

¹⁴ *See*: Emergency Tenant Protection Act of 1974 §4(5)(a)(13).

¹⁵ New York City Rent Guidelines Board, Changes to the Rent Stabilized Housing Stock in New York City in 2013, 6, May 19, 2014, available at http://www.nycrgb.org/downloads/research/pdf_reports/changes2014.pdf.

¹⁶ *See generally*: Emergency Tenant Protection Act of 1974; Emergency Housing Rent Control Law; Local Emergency Housing Rent Control Law; New York City Administrative Code Chapter 3; New York City Administrative Code Chapter 4 .

¹⁷ *See*: Emergency Tenant Protection Act of 1974 §4(6)(d)(1); Emergency Housing Rent Control Law §4(4)(a)(5)

¹⁸ *See*: Emergency Tenant Protection Act of 1974 §4(6)(d)(1); Emergency Housing Rent Control Law §4(4)(a)(5).

¹⁹ *See*: Emergency Tenant Protection Act of 1974 §4(10)(a-1).

²⁰ *See*: Emergency Tenant Protection Act of 1974 §4(6)(d)(3); Emergency Housing Rent Control Act § 4(4)(a).

²¹ *See generally*: Emergency Tenant Protection Act of 1974; Emergency Housing Rent Control Law; Local Emergency Housing Rent Control Law; New York City Administrative Code Chapter 3; New York City Administrative Code Chapter 4.

²² *See*: Emergency Tenant Protection Act of 1974 §4(4)(b).

²³ New York City Administrative Code §26-405(a)(5).

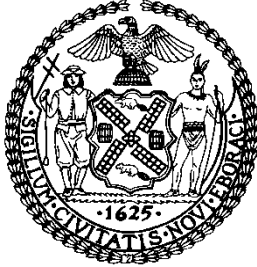
²⁴ NYCRGB.org, Glossary Definitions of Rent Regulation Terms, available at http://www.nycrgb.org/html/glossary_defs.html#preferential.

²⁵ NYCRGB.org, Rent and Rent Increases FAQ, available at <http://www.nycrgb.org/html/resources/faq/rents.html>.

²⁶ *See* Emergency Tenant Protection Act of 1974 §4(10)(a-2).

²⁷ New York State Private Housing Finance Law § 35.

(The following is the text of the Fiscal Impact Statement for Int. No. 685:)



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO. 435-A

COMMITTEE:

Education

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide data regarding students receiving special education services.

SPONSORS: Dromm, Arroyo, Barron, Chin, Gentile, Koo, Mendez, Cohen, Rodriguez, Lancman, Treyger, Deutsch, Levin, Rosenthal, Richards and the Public Advocate (Ms. James)

SUMMARY OF LEGISLATION: Proposed Intro. No. 435-A would require the Department of Education (DOE) to submit to the City Council an annual report regarding students referred for individualized education programs (IEP) and receiving special education services. The bill would require the DOE to provide a preliminary report no later than February 29, 2016, and annually thereafter on November 1st, regarding: (i) the number of referrals for initial evaluations and reevaluations; (ii) the number of initial evaluations conducted that resulted in an IEP recommendation; (iii) the number of IEP meetings that were timely convened within 60 days; (iv) the number of IEP meetings that were convened in more than 60 days; (v) the number of reevaluations conducted where a determination was made that the student no longer needed an IEP; (vi) the number of IEP meetings for reevaluations that were timely convened within 60 days; and (vii) the number of IEP meetings for reevaluations that were convened in more than 60 days.

The legislation would require the DOE to provide information regarding the total number of students with an IEP as of June 30th of the reported academic period. The bill would also require DOE to provide information regarding: (i) the timeframe for providing notice that an IEP will be implemented, after parental consent has been received; (ii) whether students who have been reevaluated receive more or fewer services; and (ii) whether they are in full or partial compliance, or awaiting services at the end of the academic period being reported. The bill would also require the DOE to provide the number and percentage of IEP students who participate in the general education curriculum. The DOE would be required to disaggregate this

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information by school district, eligibility for the free and reduced price lunch program, race/ethnicity, gender, English Language Learner status, recommended language of instruction, grade level, and disability classification.

Effective Date: This local law would take effect sixty days after its enactment.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: 2016

FISCAL IMPACT STATEMENT:

	Effective FY15	FY Succeeding Effective FY16	Full Fiscal Impact FY16
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$488,240*	\$488,240*
Net	\$0	\$488,240*	\$488,240*

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

IMPACT ON EXPENDITURES: * The DOE has provided a detailed cost estimate for the annual report as they believe is specified and required by this legislation. The provided total estimated cost from the DOE is \$3,695,814 which would be fully realized in Fiscal 2016. The breakdown of associated costs is as follows: \$1,373,736 for data collection; \$1,342,320 for data assurance; \$417,690 for data warehouse and data aggregation; \$72,828 for report generation and delivery; \$374,000 for data storage requirements and \$114,240 for project management.

While the Council recognizes DOE currently does not have the capacity to complete the required reporting as specified in the bill, DOE does have a plan for further increased capacity and development of SESIS, which would then provide the capacity for the required reporting. Considering DOE has planned to develop the necessary data systems regardless of this legislation, Council Finance believes the provided estimate from DOE is an overprojection and the actual associated cost is \$488,240. The \$488,240 is the cost of a project manager and 3 part-time business analysts (\$114,240) as well as the cost of the data storage requirement (\$374,000). The annual report requires the storage of data for 5 years which SESIS systems were not prepared to perform. The data storage cost is a sunken cost for the initial year and the ongoing cost will be for project management in the amount of \$144,240.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCES OF INFORMATION: New York City Council Finance Division
Department of Education

ESTIMATE PREPARED BY: Norah Yahya, Senior Legislative Financial Analyst
Madina Nizamitdin, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance
Division
Rebecca Chasan, Assistant Counsel, Finance
Division
Tanisha Edwards, Chief Counsel, Finance Division

LEGISLATIVE HISTORY: Intro. No. 435 was introduced by the Council on August 21, 2014 and referred to the Committee on Education. The Committee considered the legislation at a hearing on October 28, 2014 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 435-A, will be voted on by the Committee at a hearing on March 10, 2015. Upon successful vote of the Committee, Proposed Intro. No. 435-A will be submitted to the full Council for a vote on March 11, 2015.

DATE PREPARED: March 10, 2015

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 685:)

Int. No. 685

By Council Members Johnson, Williams, Rosenthal, Chin, Eugene, Richards, Rose, Rodriguez, Cornegy, Garodnick, Van Bramer and Koslowitz.

A Local Law to amend the administrative code of the City of New York, in relation to extending the rent stabilization laws.

Be it enacted by the Council as follows:

Section 1. Section 26-502 of the administrative code of the city of New York, as amended by local law number sixteen for the year 2012, is amended to read as follows:

§26-502. Additional findings and declaration of emergency. The council hereby finds that a serious public emergency continues to exist in the housing of a considerable number of persons within the City of New York and will continue to exist on and after April first, [two thousand twelve] *two thousand fifteen* and hereby reaffirms and repromulgates the findings and declaration set forth in section 26-501 of this title.

§2. Section 26-520 of the administrative code of the city of New York, as amended by local law number sixteen for the year 2012, is amended to read as follows:

§26-520 Expiration date. This chapter shall expire on April first, [two thousand fifteen] *two thousand eighteen* unless rent control shall sooner terminate as provided in subdivision three of section one of the local emergency housing rent control law.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES.; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

Reports of the Committee on Land Use

Report for L.U. No. 174

Report of the Committee on Land Use in favor of approving 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).

The Committee on Land Use, to which the annexed Land Use item was referred on February 12, 2015 (Minutes, page 495), respectfully

REPORTS:

SUBJECT**MANHATTAN CB - 2****C 130066 ZSM**

City Planning Commission decision approving an application 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 use regulations of Section 42-00 to allow Use Group 2 uses (residential use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building, on property located at 498 Broome Street (Block 487, Lot 6), in an M1-5A District, within the SoHo Cast-Iron Historic District.

INTENT

This special permit would modify the use regulations of M1-5A districts to allow residential uses (Use Group 2 use) on portions of the ground floor, the 2nd - 5th floors and the proposed penthouse of an existing 5-story building located at 498 Broome Street within the SoHo Cast-Iron Historic District in Manhattan's Community District 2.

PUBLIC HEARING**DATE:** February 24, 2015**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 9, 2015

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

In Favor: Weprin, Gentile, Garodnick, Richards, Reynoso**Against:** *None***Abstain:** *None***COMMITTEE ACTION****DATE:** March 10, 2015

The Committee recommends that the Council approve the attached resolution.

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In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

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

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 180

Report of the Committee on Land Use in favor of approving Application No. C 150153 HUX submitted by New York City Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an amendment to the Melrose Commons Urban Renewal Plan, Borough of the Bronx, Community Board 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 662) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 3

C 150153 HUX

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter for the Third Amendment to the Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area.

INTENT

This action along with the other related actions would facilitate the construction of a mixed-use development, within the Melrose Commons Urban Renewal Area, for affordable and supportive housing.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

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

Res. No. 628

Resolution approving the Third Amended Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 150153 HUX (L.U. No. 180).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision and report dated February 18, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD"), pursuant to Section 505 of Article 15 of the General Municipal Law of New York State and Section 197-c of the New York City Charter, regarding the proposed Third Amended Melrose Commons Urban Renewal Plan (the "Plan") for the Melrose Commons Urban Renewal Area (the "Area"). The proposed amended plan would include the following changes:

1. The elimination of the Melrose Crescent and the remapping of East 162nd Street;
2. The reconfiguration and/or consolidation of five URA sites (Sites 51, 52, 53, 61 and 62) to match the boundaries of Sites B, C and the Future Open Space Site;
3. Changes to land use designation on URA Site 51 from community facility to residential, commercial and/or community facility to allow for the Site C development;
4. Changes to land use designation on URA Site 61 from public open space to residential, commercial, and/or community facility to allow for the Site C development;
5. Changes to land use designation on URA Site 62 from residential to public open space; and
6. The removal of height restrictions and modification of curb cut regulations affecting these URA sites.

In addition, time schedule for the effectuation of the plan is proposed to be updated, (ULURP No. C 150153 HUX), Community District 3, Borough of the Bronx (the "Application");

WHEREAS, the application is related to Applications C 150152 ZMX (L.U. No. 181), an amendment to the Zoning Map, Section Nos. 6a and 6c, changing portions of two blocks from R7-2 to R7-2/C1-4 and R8/C1-4; C 150154 HAX (L.U. No. 182), an urban development action area project designation, project approval and disposition of city-owned properties to developers to be selected by the Department of Housing Preservation and Development; and C 120323 MMX (L.U. No. 183), amendments to the City Map;

WHEREAS, the City Planning Commission has certified that the Plan for the Area complies with the provisions of Article 15 of the General Municipal Law, conforms to the comprehensive community plan for the development of the

municipality as a whole and is consistent with local objectives, and that the Plan is in conformity with the findings and designation of the Area;

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

WHEREAS, the Area Designation is subject to review and action by the Council pursuant to Section 504 of the General Municipal Law;

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council on February 18, 2015 its requests and recommendations dated February 9, 2015 regarding the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and the Plan on March 9, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 14HPD030X) issued on October 14, 2014 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Section 504 of the General Municipal Law, the Council approves the Designation of the Area.

Pursuant to Section 505(4) of the General Municipal Law, the Council finds that:

1. The Area is a substandard or insanitary area or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. The financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the Plan;

3. The Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program;

4. The Plan conforms to a comprehensive community plan for the development of the municipality as a whole;

5. There is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment; and

6. The undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Area.

Pursuant to Section 505 of the General Municipal Law, the Council approves the Third Amended Melrose Commons Urban Renewal Plan for the Melrose Commons Urban Renewal Area, dated November 2014.

Pursuant to Sections 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 150153 HUX, incorporated by reference herein, the Council approves the Decision.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 181

Report of the Committee on Land Use in favor of approving Application No. C 150152 ZMX submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a and 6c, changing an existing R7-2 District to an R8 and establishing a C1-4 District within the proposed R8 District and within an existing R7-2 District, in the area of Melrose Avenue and East 163rd Street, Borough of the Bronx, Community Board 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 662) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 3

C 150152 ZMX

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6a and 6c.

INTENT

This zoning map amendment along with the other related actions would facilitate the construction of a mixed-use development with affordable and supportive housing, within the Melrose Commons Urban Renewal Area.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

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

Res. No. 629

Resolution approving the decision of the City Planning Commission on ULURP No. C 150152 ZMX, a Zoning Map amendment (L.U. No. 181).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision dated February 18, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 6a and 6c, to rezone the northern portion of the block bounded by 162nd Street in the south, Melrose Avenue to the east, 163rd Street to the north and Courtlandt Avenue to the west (Block 2408) from an R7-2 Zoning District to R7-2/C1-4 and R8/C1-4 districts, in Community District 3 of the Bronx, which in conjunction with the related actions would facilitate the construction of a mixed-use development containing affordable and supportive housing, within the Melrose Commons Urban Renewal Area, in Community District 3 (ULURP No. C 150152 ZMX), Borough of the Bronx (the "Application");

WHEREAS, the application is related to Applications C 150153 HUX (L.U. No. 180), the third amendment to the Melrose Commons Urban Renewal Plan; C 150154 HAX (L.U. No. 182), an urban development action area project designation,

project approval and disposition of city-owned properties to developers to be selected by the Department of Housing Preservation and Development; and C 120323 MMX (L.U. No. 183), amendments to the City Map;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 9, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 14HPD030X) issued on October 9, 2014 (the “Negative Declaration”);

RESOLVED:

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 150152 ZMX, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 6a and 6c:

1. changing from an R7-2 District to an R8 District on property bounded by the centerline of the former Melrose Crescent, a line 100 feet northeasterly of East 161st Street, a line 320 feet southeasterly of Melrose Avenue, East 162nd Street, and a line 270 feet southeasterly of Melrose Avenue;
2. establishing within an existing R7-2 District a C1-4 District bounded by East 163rd Street, a line 270 feet southeasterly of Melrose Avenue, a line midway between East 163rd Street and East 162nd Street, and Melrose Avenue; and
3. establishing within existing and proposed R8 Districts a C1-4 District bounded by:

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- a. East 163rd Street, the southwesterly boundary line of a Park and its northwesterly and southeasterly prolongations, Washington Avenue, Elton Avenue, a line 160 feet southwesterly of East 163rd Street, and a line 270 feet southeasterly of Melrose Avenue; and
- b. East 162nd Street, Elton Avenue, the centerline of the former Melrose Crescent, a line 100 feet northeasterly of East 161st Street, and a line 320 feet southeasterly of Melrose Avenue;

as shown on a diagram (for illustrative purposes only), dated November 17, 2014, Community District 3, Borough of the Bronx.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 182

Report of the Committee on Land Use in favor of approving Application No. C 150154 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an Urban Development Action Area designation and Project for property located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue, Borough of the Bronx, and for the disposition of such property, Community Board 3, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 662) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 3

C 150154 HAX

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

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a) the designation of property located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd streets, as an Urban Development Action Area; and

b) an Urban Development Action Area Project for such area; and

2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an six- to twelve-story mixed-use building with approximately 202 units of affordable housing, 59 units of supportive housing, 2 superintendent units and 8,903 square feet of ground-floor retail space.

INTENT

This UDAAP designation, project approval and disposition of city-owned properties along with the other related actions would facilitate the construction of a mixed-use development with affordable and supportive housing, within the Melrose Commons Urban Renewal Area.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

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

Res. No. 630

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 150154 HAX, approving the designation of property located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd Streets), Borough of the Bronx, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of city-owned properties located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd Streets) to a developer selected by HPD (L.U. No. 182; C 150154 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision dated February 18, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of properties located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383,

Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd Streets), as an Urban Development Action Area (the "Area");

- b) an Urban Development Action Area Project for the Area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned properties located at 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd Streets) to a developer to be selected by the New York City Department of Housing Preservation and Development to facilitate the development of a six- to twelve-story mixed-use building with approximately 202 units of affordable housing, 59 units of supportive housing, 2 superintendent units and 8,903 square feet of ground-floor retail space in Community District 3, Borough of the Bronx (ULURP No. C 150154 HAX) (the "Application");

WHEREAS, the application is related to Applications C 150153 HUX (L.U. No. 180), the third amendment to the Melrose Commons Urban Renewal Plan; C 150152 ZMX (L.U. No. 181), an amendment to the Zoning Map, Section Nos. 6a and 6c, changing portions of two blocks from R7-2 to R7-2/C1-4 and R8/C1-4; and C 120323 MMX (L.U. No. 183), amendments to the City Map;

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

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

WHEREAS, by letter dated February 9, 2015 and submitted to the Council on February 18, 2015, the HPD submitted its requests (the "HPD Requests") respecting the Application including the submission of two project summaries for (1) Melrose Commons North RFP Site C – Family Building – Disposition Area A; and (2) Melrose Commons North RFP Site C – Supportive Housing Loan Program Building – Disposition Area B, revised as of March 4, 2015 (collectively, the "Project Summaries");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on March 9, 2015;

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

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WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 14HPD030X) issued on October 14, 2014 (the “Negative Declaration”);

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 150154 HAX) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

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

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

The Council approves the disposition of 427/441 East 161st Street, 432/446 East 162nd Street, and 897/903 Elton Avenue (Block 2383, Lots 19, 25, 27, 29, 30, 31, 33, 35, and 39), including a portion of the street bed of Melrose Crescent between East 161st and East 162nd Streets) to a developer to be selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 183

Report of the Committee on Land Use in favor of approving Application No. C 120323 MMX submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving Melrose Crescent, East 162nd Street, East 163rd Street, and establishment of a park, Borough of the Bronx, Community Board 3, Council District 17. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 663) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 3

C 120323 MMX

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map.

INTENT

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This amendment to the City Map, along with the other related actions, would facilitate the construction of a mixed-use development with affordable and supportive housing, within the Melrose Commons Urban Renewal Area.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

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

Res. No. 631

Resolution approving the decision of the City Planning Commission on ULURP No. C 120323 MMX, an amendment to the City Map (L.U. No. 183).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision dated February 18, 2015 (the "Decision"), on the application

submitted by the New York City Department of Housing Preservation and Development, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Melrose Crescent between East 163rd Street and Elton Avenue;
- the establishment of the prolongation of East 163rd Street east to Brook Avenue;
- the establishment of the prolongation of East 162nd Street east to Elton Avenue;
- the elimination of Public Place between East 162nd Street and East 163rd Street;
- the establishment of Park between East 162nd Street and East 163rd Street;
- the extinguishment of portions of sewer easements; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 13134 dated May 29, 2014 and signed by the Borough President, (ULURP No. C 120323 MMX), Community District 3, Borough of the Bronx (the "Application");

WHEREAS, the application is related to Applications C 150153 HUX (L.U. No. 180), the third amendment to the Melrose Commons Urban Renewal Plan; C 150152 ZMX (L.U. No. 181), an amendment to the Zoning Map, Section Nos. 6a and 6c, changing portions of two blocks from R7-2 to R7-2/C1-4 and R8/C1-4; and C 150154 HAX (L.U. No. 182), an urban development action area project designation, project approval and disposition of city-owned properties to developers to be selected by the Department of Housing Preservation and Development;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 9, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 14HPD030X) issued on October 14, 2014 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 120323 MMX, incorporated by reference herein, the Council approves the Decision for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Melrose Crescent between East 163rd Street and Elton Avenue;
- the establishment of the prolongation of East 163rd Street east to Brook Avenue;
- the establishment of the prolongation of East 162nd Street east to Elton Avenue;
- the elimination of Public Place between East 162nd Street and East 163rd Street;
- the establishment of Park between East 162nd Street and East 163rd Street;
- the extinguishment of portions of sewer easements; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in the Borough of The Bronx, Community District 3, in accordance with Map No. 13134 dated May 29, 2014 and signed by the Borough President, as more particularly described as follows:

DISCONTINUING AND CLOSING MELROSE CRESCENT FROM EAST 163RD STREET TO EAST 162ND STREET

In the matter of discontinuing and closing Melrose Crescent from East 163rd Street to East 162nd Street, Borough of The Bronx, County of The Bronx, City and State of New York:

Starting at a Point of Beginning, being a point of curvature, located on the southerly line of East 163rd Street and being distant 173.620 feet easterly along said southerly line of East 163rd Street from its intersection with the easterly street line of Melrose Avenue, as those streets were hereinbefore laid out on the City Map;

- 1) Running thence easterly and southerly, along a curve to the right having a radius of 220.000 feet, a central angle of 83 degrees 55 minutes 00 seconds, and a curve length of 322.217 feet, to a point of tangency;
- 2) Running thence southerly, 3.337 feet to a point on the northerly street line of East 162nd Street;

3) Running thence easterly, along a course forming an interior angle with the last mentioned course of 91 degrees 5 minutes 00 seconds, 60.340 feet to a point;

4) Running thence northerly, along a line forming an interior angle with the last mentioned course of 83 degrees 55 minutes 00 seconds, 9.738 feet to a point of curvature;

5) Running thence northerly and westerly, along a curve to the left, having a radius of 280.000 feet, a central angle of 45 degrees 42 minutes 05 seconds, and a curve length of 223.340 feet, to a point;

6) Running thence westerly, along the southerly line of East 163rd Street, along a course forming an interior angle to the south with the tangent line of the last mentioned course of 141 degrees 47 minutes 5 seconds, 173.212 feet to the Point of Beginning.

The area described above consists of 15,270 square feet, more or less.

DISCONTINUING AND CLOSING MELROSE CRESCENT FROM EAST
162nd STREET TO EAST 161st STREET AND ELTON AVENUE

In the matter of discontinuing and closing Melrose Crescent from East 162nd Street to East 161st Street and Elton Avenue, Borough of The Bronx, County of The Bronx, City and State of New York:

Starting at a Point of Beginning located on the southerly line of East 162nd Street and being distant 393.336 feet easterly along said existing southerly line of East 162nd Street from its intersection with the existing easterly street line of Melrose Avenue, as those streets were hereinbefore laid out on the City Map;

1) Running thence southerly, along a line forming an angle to the southeast of 88 degrees 55 minutes and 00 seconds with the aforementioned southerly street line of East 162nd Street 130.804 feet to a point of curvature;

2) Running thence southerly and westerly, along a curve to the right having a radius of 25.000 feet, a central angle of 86 degrees 15 minutes and 50.9 seconds, and a curve length of 37.640 feet, to a point of compound curvature;

3) Running thence westerly, along a curve to the right having a radius of 230.000 feet, a central angle of 8 degrees 44 minutes 09.1 seconds and a curve length of 35.068 feet, to a point of tangency on the northerly street line of East 161st Street;

4) Running thence easterly, along a line tangent to the last mentioned curve, 47.739 feet to a point of curvature;

5) Running thence easterly and northerly, along a curve to the left having a radius of 130.000 feet, a central angle of 51 degrees 02 minutes 27 seconds and a curve length of 115.808 feet, to a point of tangency;

6) Running thence northeasterly 47.653 feet to a point of curvature on the northwesterly street line of Elton Avenue;

7) Running thence southerly and westerly, along a curve to the right, whose course forms a radial angle of 90 degrees 00 minutes 00 seconds with the last mentioned course, having a radius of 230.000 feet, a central angle of 09 degrees 02 minutes and 48.8 seconds and a curve length of 36.317 feet, to a point of compound curvature;

8) Running thence westerly and northerly, along a curve having a radius of 25.000 feet, a central angle of 126 degrees 59 minutes and 41.2 seconds and a curve length of 55.412 feet, to a point of tangency;

9) Running thence northerly, 83.718 feet to a point on the southerly line of East 162nd Street;

10) Running thence westerly along the southerly line of East 162nd Street, along a course forming an interior angle of 96 degrees 5 minutes 00 seconds, 60.340 feet to the Point of Beginning.

The area described above consists of 10,242.13 square feet, more or less.

All such approvals being subject to the following conditions:

a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 13134 dated May 29, 2014, are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and

b. The subject street to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 184

Report of the Committee on Land Use in favor of approving Application No. C 150126 HAQ submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law of New York State and Section 197-c of the New York City Charter for an Urban Development Action Area designation and Project for property located at 54-24 101st Street, Borough of Queens, and for the disposition of such property, Community Board 4, Council District 21.

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 663) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 04

C 150126 HAQ

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

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at 54-25 101st Street (Block 1939, Lot 11), as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story mixed-use building with approximately 67 units of affordable housing for senior citizens.

INTENT

This Urban Development Action Area designation, disposition and project approval, in conjunction with the related zoning map amendment, would facilitate

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the development of a mixed-use, affordable senior housing project in the Corona neighborhood of Queens, in Community District 4.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

Against: *None*

Abstain: *None*

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

Against: *None*

Abstain: *None*

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

Res. No. 632

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 150126 HAQ, approving the designation of property located at 54-25 101st Street (Block 1939, Lot 11), Borough of Queens, as an Urban Development Action Area, approving an Urban Development Action Area Project, and approving the disposition of city-owned property located at 54-25 101st Street (Block 1939, Lot 11) to a developer selected by HPD (L.U. No. 184; C 150126 HAQ).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision dated February 18, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development ("HPD") pursuant to Section 197-c of the New York City Charter and Article 16 of the General Municipal Law of New York State regarding:

- a) the designation of property located at 54-25 101st Street (Block 1939, Lot 11), as an Urban Development Action Area (the "Area");
- b) an Urban Development Action Area Project for the Area (the "Project"); and

pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 54-25 101st Street (Block 1939, Lot 11) to a developer to be selected by the New York City Department of Housing Preservation and Development to facilitate the development of an eight-story mixed-use building with approximately 67 units of affordable housing for senior citizens, Community District 4, Borough of Queens (ULURP No. C 150126 HAQ) (the "Application");

WHEREAS, the application is related to Application C 150125 ZMQ (L.U. No. 185), an amendment to the Zoning Map, Section No. 10b, changing from an R6B District to an R6 District;

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

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

WHEREAS, by letter dated February 9, 2015 and submitted to the Council on February 18, 2015, HPD submitted its requests (the "HPD Requests") respecting the Application including a project summary (the "Project Summary");

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision on March 9, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues including the negative declaration (CEQR No. 15HPD012Q) issued on October 14, 2014 (the "Negative Declaration");

RESOLVED:

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

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report (C 150126 HAQ) and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

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

The Project shall be developed in a manner consistent with the project summary submitted by HPD on February 19, 2015, a copy of which is attached hereto and made a part hereof.

The Council approves the disposition of 54-25 101st Street (Block 1939, Lot 11) to a developer selected by the New York City Department of Housing Preservation and Development.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

Report for L.U. No. 185

Report of the Committee on Land Use in favor of approving Application No. C 150125 ZMQ submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10b, changing an R6B District to an R6 District, in the area of Lewis Avenue and 101st Street, Borough of Queens, Community Board 4, Council District 21.

The Committee on Land Use, to which the annexed Land Use item was referred on February 26, 2015 (Minutes, page 663) and was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 04

C 150125 ZMQ

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 10b, by changing from an R6B District to an R6 District property bounded by Lewis Avenue, a line midway between 101st Street and 102nd Street, a line 270 feet northwesterly of Martense Avenue, and 101st Street, as shown on a diagram (for illustrative purposes only) dated October 20, 2014.

INTENT

This change to the Zoning Map, in conjunction with the related urban development action area designation, would facilitate the development of a mixed-use, affordable senior housing project in the Corona neighborhood of Queens, in Community District 4.

PUBLIC HEARING

DATE: March 9, 2015

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 9, 2015

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

In Favor: Dickens, Rodriguez, Cohen, Treyger

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

COMMITTEE ACTION

DATE: March 10, 2015

The Committee recommends that the Council approve the attached resolution.

In Favor: Greenfield, Gentile, Palma, Arroyo, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Weprin, Williams, Richards, Cohen, Kallos, Reynoso, Torres, Treyger, Ignizio

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

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

Res. No. 633

Resolution approving the decision of the City Planning Commission on ULURP No. C 150125 ZMQ, a Zoning Map amendment (L.U. No. 185).

By Council Members Greenfield and Dickens.

WHEREAS, the City Planning Commission filed with the Council on February 20, 2015 its decision dated February 18, 2015 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 10b, by changing from an R6B District to an R6 District to facilitate the development of a mixed-use, affordable senior housing project in the Corona neighborhood of Queens, in Community District 4 (ULURP No. C 150125 ZMQ), Borough of Queens (the "Application");

WHEREAS, the application is related to Application C 150126 HAQ (L.U. No. 184), an urban development action area designation and project and disposition of such property to a developer selected by HPD;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 9, 2015;

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

WHEREAS, the Council has considered the relevant environmental issues, including the negative declaration (CEQR No. 15HPD012Q) issued on October 14, 2014 (the “Negative Declaration”);

RESOLVED:

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

Pursuant to Section 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 150125 ZMQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 10b, changing from an R6B District to an R6 District property bounded by Lewis Avenue, a line midway between 101st Street and 102nd Street, a line 270 feet northwesterly of Martense Avenue, and 101st Street, as shown on a diagram (for illustrative purposes only) dated October 20, 2014, Community District 4, Borough of Queens.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, MARIA del CARMEN ARROYO, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, MARK S. WEPRIN, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, VINCENT M. IGNIZIO; Committee on Land Use, March 10, 2015.

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

GENERAL ORDER CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicant's Report

<u>Name</u>	<u>Address</u>	<u>District #</u>
Erin Sweeney	268 West 21st Street #4 New York, N. Y. 10011	3
Kiana Bartley	3309 Baychester Avenue Bronx, N.Y. 10469	12
Diana Johnson	1211 Washington Avenue Bronx, N.Y. 10456	16
Hulling Zheng	46-57 156th Street Flushing, N.Y. 11355	20
Lynette Mangual	105-18 90th Street Queens, N.Y. 11417	32
Chelsea Yogerst	18 Sidney Place #5 Brooklyn, N.Y. 11201	33
Rebecca Jacobson	252 Himrod Street #1R Brooklyn, N.Y. 11237	37
Maxwell Jaffe	508 Henry Street #4L Brooklyn, N.Y. 11231	39
Guy Martinez	479 Clove Road Staten Island, N.Y. 10310	49

Approved New Applicants and Reapplicants

<u>Name</u>	<u>Address</u>	<u>District #</u>
Noralba Vanderpool	521 FDR Drive 43B New York, N.Y. 10002	2
Dilys G. Rubizzi	107 Christopher Street New York, N.Y. 10014	3
Cynthia Thompson	2375 First Avenue #8D New York, N.Y. 10035	8
Latreva Vonzella Mumford	420 East 102nd Street #11E New York, N.Y. 10029	8
Noemi Rodriguez	300 Reservoir Place #3C Bronx, N.Y. 10467	11
Lashawn Clemons	100 Casals Place Bronx, N.Y. 10475	12
Vernice McMillian	1175 East 225th Street Bronx, N.Y. 10466	12
Mabel C. Garcia	1159 Underhill Avenue Bronx, N.Y. 10472	18
Rose Tiego	97-252 57th Avenue 418N Corona, N.Y. 11368	21
Pamela Robinson	104-10 191st Street Hollis, N.Y. 11412	27
Margaret Ognibene	64-82 83rd Street Queens, N.Y. 11379	30
Denise Stracuzza	77-03 72nd Street Queens, N.Y. 11385	30
Frank Zito	65-47 77th Street Queens, N.Y. 11379	30
Tracey M. Johnson	144-31 226th Street Queens, N.Y. 11413	31
Evelyn Adjoa-Jean Gray	44 Hancock Street #4F Brooklyn, N.Y. 11202	36
Betty Robinson	997 Dekalb Avenue #3D Brooklyn, N.Y. 11221	36
Sherina Seale	853 Empire Blvd #B9 Brooklyn, N.Y. 11213	41
Melanie Luna	675 Lincoln Avenue #16L Brooklyn, N.Y. 11208	42

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Marilyn Thornton-Chase	185 Ardsley Loop #11A Brooklyn, N.Y. 11239	42
George A. Banat	9040 Ft. Hamilton Pkwy Brooklyn, N.Y. 11209	43
Nichole Grant	799 East 40th Street Brooklyn, N.Y. 11210	45
Jeffrey Codrington	1275 East 82nd Street Brooklyn, N.Y. 11236	46
Margie Jordan	3028 West 29th Street Brooklyn, N.Y. 11224	47
Marina Ukrainsky	3901 Nostrand Avenue #4L Brooklyn, N.Y. 11235	48
JoAnn Bush	26 Kirkland Court Staten Island, N.Y. 10302	49
Erin A. Cunningham	10 Hardin Avenue Staten Island, N.Y. 10310	49
Jean K. Estabrook	100 Beacon Avenue Staten Island, N.Y. 10306	50
Angela Abbriano	20 Carlyle Green Staten Island, N.Y. 10312	51
Irina Rudyakova	46 Woodcutters Lane Staten Island, N.Y. 10306	51

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

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

- (1) **Int 435-A -** Requiring the department of education to provide data regarding students receiving special education services.
- (2) **Int 458-A -** Requiring the department of consumer affairs to provide young adults with outreach and education regarding consumer protection issues.
- (3) **Int 685 -** Extending the rent stabilization laws.
- (4) **L.U. 180 & Res 628 -** App. C **150153 HUX** Bronx, Community Board 3, Council District 17.

- (5) **L.U. 181 & Res 629 -** App. **C 150152 ZMX** Bronx, Community Board 3, Council District 17.
- (6) **L.U. 182 & Res 630 -** App. **C 150154 HAX** Bronx, and for the disposition of such property, Community Board 3, Council District 17.
- (7) **L.U. 183 & Res 631 -** App. **C 120323 MMX** Bronx, Community Board 3, Council District 17.
- (8) **L.U. 184 & Res 632 -** App. **C 150126 HAQ** Queens, and for the disposition of such property, Community Board 4, Council District 21.
- (9) **L.U. 185 & Res 633 -** App. **C 150125 ZMQ** Queens, Community Board 4, Council District 21.
- (10) **L.U. 186 & Res 626 -** Schervier Apartments, Block 5750, Lot 500, Bronx, Community District No.8, Council District No. 11.
- (11) **L.U. 187 & Res 627 -** Tweemill House, Block 1775, Lot 20, Manhattan, Community District No.11, Council District No. 9.
- (12) **Resolution approving various persons Commissioners of Deeds.**

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

Affirmative – Arroyo, Barron, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras, Garodnick, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Matteo, 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) – **49**.

The General Order vote recorded for this Stated Meeting was 49-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 685**:

Affirmative – Arroyo, Barron, 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, 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) – **47**.

Negative – Matteo and Ignizio -**2**

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos .435-A, 458-A, and 685.

For **Introduction and Reading of Bills**, see the material following the **Resolutions** section below:

RESOLUTIONS

Presented for voice-vote

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

Report for voice-vote Res. No. 86-A

Report of the Committee on Housing and Buildings in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would create a review process for Individual Apartments Improvement rent increases and make such increases a temporary surcharge rather than a permanent rent increase.

The Committee on Housing and Buildings, to which the annexed amended resolution was referred on February 26, 2014 (Minutes, page 520), respectfully

REPORTS:

(For text of report, please see the **Report of the Committee on Housing and Buildings** for Int No. 685 printed in the **Reports of the Standing Committees** section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 86-A:)

Res. No. 86-A

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would create a review process for Individual Apartments Improvement rent increases and make such increases a temporary surcharge rather than a permanent rent increase.

By Council Members Williams, Arroyo, Johnson, Mendez, Rosenthal, Rodriguez, Cornegy, Garodnick, Van Bramer, Levin, Gibson, Kallos and Lander.

Whereas, Under New York State law, owners may make Individual Apartment Improvements (IAI) to rent regulated units, and permanently increase the rent in such units by 1/40th the cost of the improvement in a building with 35 or fewer units and by 1/60th the cost of the improvement in buildings with more than 35 units; and

Whereas, Such increases require the filing of a notice with the New York State Division of Housing and Community Renewal (DHCR) only if the apartment is occupied by a tenant; and

Whereas, An IAI rent increase is added to the base rent for all future rent increases; and

Whereas, It is unfair to charge tenants for improvements long after the landlord has recouped his or her cost; and

Whereas, DHCR should have a review and approval process for IAI rent increases in order to reduce the risk of unwarranted rent increases; and

Whereas, Such a review and approval process may result in fewer IAI rent increases and allow units to remain in the rent regulation system for a longer period of time; and

Whereas, A five-year rent surcharge for IAIs, rather than a permanent rent increase, should help ensure that tenants are not charged for improvements long after the landlord has been fully compensated for the cost of the improvements; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation that would create a review process for Individual Apartments Improvement rent increases and make such increases a temporary surcharge rather than a permanent rent increase.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 585

Report of the Committee on Higher Education in favor of approving a 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.

The Committee on Higher Education, to which the annexed resolution was referred on February 26, 2015 (Minutes, page 601), respectfully

REPORTS:

I. INTRODUCTION

On March 9, 2015, the Committee on Higher Education, chaired by Council Member Inez Barron, convened for a second hearing of Resolution No. 585-2015, a 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. The Committee first heard the resolution preconsidered on February 23, 2015, during a hearing titled, “Oversight: The President’s Free Community College Plan.” Representatives from the City University of New York, its faculty, and students testified. The resolution was subsequently introduced on February 26, 2015.

II. BACKGROUND

The Role of Community Colleges

Approximately 46 percent of all undergraduate students in the United States are enrolled in a community college.¹ Community colleges play a vital role in providing post-secondary educational opportunities for those who want to pursue career and technical training, academic transfer to a four-year degree, or to gain skills needed for a better position in the workforce.² Recent high school graduates and families

who cannot afford the high cost of a private or public 4-year institution often turn to 2-year colleges as the most practical and affordable choice.³ In the 2012-2013 academic year, community colleges awarded 750,399 associate degrees and 459,073 certificates.⁴

Community colleges in recent years have become a common first step toward a bachelor's degree, particularly for low-income, minority, and first-generation college students.⁵ In the 2010-2011 academic year, approximately 45 percent of all students who completed a degree at a four-year institution had previously enrolled in a two-year institution, according to the National Student Clearinghouse Research Center which collected data from 3,300 colleges nationwide.⁶ Of those students, over half of these students completed a bachelor's degree within three years of leaving a two-year institution and three-quarter of these students completed a four-year degree within five years.⁷ Meanwhile, only 20 percent of community college students transfer to a four-year institution.⁸

Although four-year colleges and universities open more occupational doors than two-year institutions, community colleges may play an equal or greater role in elevating New Yorkers into the middle class and supporting employers who need middle-skill⁹ workers.¹⁰ For tens of thousands of low-income residents and immigrants, New York City's community colleges are the only entry point into the higher education system, including those who want to gain a baccalaureate degree but lack the grades, money, language skills or connections to start at a four-year institution.¹¹ For others, four-year colleges simply don't offer the flexibility they need to take classes while maintaining a full-time job to support themselves and their family.¹²

III. ISSUE ANALYSIS

Community College Funding

During the economic downturn from December 2007 to June 2009, known as the Great Recession, millions of Americans lost their jobs, which resulted in a myriad of financial challenges.¹³ During that time, unemployed individuals went back to school to retool their skills and prepare for new careers.¹⁴ Since the Great Recession, community colleges have had a 20 percent increase in enrollment, while four-year public universities have had an increase of 10.6 percent.¹⁵

Even though postsecondary institutions saw record-high enrollment during the recession, state budgets had decreased and such institutions faced budget cuts, of which two-year institutions bore much the brunt.¹⁶ As a result, community colleges have experienced a decline in funding per student at a greater rate than four-year institutions. In fact, while community colleges serve nearly half of undergraduates, they have historically received approximately 20 percent of state tax appropriations for higher education.¹⁷ Furthermore, community colleges spend less than a third of the amount of education and general funds that a private research university is able to spend on a student.¹⁸ In 2011, New York State made an agreement with the City University of New York (CUNY) that would allow CUNY to increase tuition rates by \$300 each year for five years to help stabilize the budget.¹⁹ As a result, limited access to a community college due to decreased State funding and increased tuition

rates may hinder many New Yorkers from pursuing an associate's or baccalaureate degree.

Financial and Educational Challenges for Community College Students

The Tuition Assistance Program (TAP), New York State's largest grant program, helps eligible New York residents attending in-state postsecondary institutions pay for tuition.²⁰ Some advocates have raised concerns that there are a number of CUNY students who are eligible for only limited TAP assistance or no TAP at all, especially those attending part-time, financially independent students without children, and the undocumented.²¹ Students who can only afford to enroll on a part-time basis are struggling to remain in school long enough to earn a credential.²² In 2013, just 91 out of nearly 40,000 part-time students at CUNY community colleges received TAP funds to help pay for school.²³ The State's eligibility rules require that students be enrolled full-time for two consecutive semesters before they can enroll part-time and still qualify for TAP.²⁴ Once they meet these requirements, students are only eligible for a total of six semesters of schooling.²⁵ In addition, many community college students are unprepared for college-level work,²⁶ and as a result, may require remedial education, thus delaying degree attainment. Therefore, students who enter the CUNY community colleges requiring remedial education often find that their TAP funding runs out before they are able to complete school. Further, the six-year graduation rate for full-time students at CUNY community colleges is 29 percent and rates are even lower for part-time students.²⁷

The President's Plan: Make Two Years of College as Free and Universal as High School²⁸

In part, to address many of the complex issues outlined above, on January 9, 2015, President Barack Obama announced the "America's College Promise" a \$60.3 billion federal investment over 10 years, which would create a new partnership with states to help them eliminate tuition and fees in high-quality programs for students, while promoting key reforms to help more students complete at least two years of college.²⁹ The proposal would make the first two years of community college tuition free to enable students to earn a bachelor's degree and gain the skills needed in the workforce.³⁰ This proposal would require community colleges to strengthen their programs and increase the number of students who graduate.³¹ States must invest more in higher education and training, and students are required to maintain at least a 2.5 Grade Point Average (GPA) and stay on track to graduate.³² The program would be undertaken in partnership with states and is inspired by new programs in Tennessee and Chicago.³³ If all states participate, an estimated 9 million students could benefit. A full-time community college student could save an average of \$3,800 in tuition per year.³⁴

The White House agenda points out that community colleges are particularly important for students who are older, working, need remedial classes, or can only take classes part-time because they offer academic programs and an affordable route

to a four-year college degree.³⁵ Community colleges are also uniquely positioned to partner with employers to create tailored training programs to meet economic needs within their communities such as nursing, health information technology, and advanced manufacturing.³⁶ The White House stresses that restructuring the community college experience, coupled with free tuition, can lead to gains in student enrollment, persistence, completion transfer, and employment.³⁷ The proposal is laid out as follows:³⁸

· Enhancing Student Responsibility and Cutting the Cost of College for All Americans: Students who attend at least half-time, maintain a 2.5 GPA while in college, and make steady progress toward completing their program will have their tuition eliminated. These students will be able to earn half of the academic credit they need for a four-year degree or earn a certificate or two-year degree to prepare them for a good job.

· Building High-Quality Community Colleges: Community colleges will be expected to offer programs that either (1) are academic programs that fully transfer to local public four-year colleges and universities, giving students a chance to earn half of the credit they need for a four-year degree, or (2) are occupational training programs with high graduation rates and that lead to degrees and certificates that are in demand among employers. Other types of programs will not be eligible for free tuition. Colleges must also adopt promising and evidence-based institutional reforms to improve student outcomes, such as the effective Accelerated Study in Associate Programs (ASAP) programs at CUNY which waive tuition, help students pay for books and transit costs, and provide academic advising and supportive scheduling programs to better meet the needs of participating students, resulting in greater gains in college persistence and degree completion.

· Ensuring Shared Responsibility with States: Federal funding will cover three-quarters of the average cost of community college. States that choose to participate will be expected to contribute the remaining funds necessary to eliminate community college tuition for eligible students. States that already invest more and charge students less can make smaller contributions, though all participating states will be required to put up some matching funds. States must also commit to continue existing investments in higher education; coordinate high schools, community colleges, and four-year institutions to reduce the need for remediation and repeated courses; and allocate a significant portion of funding based on performance, not enrollment alone. States will have flexibility to use some resources to expand quality community college offerings, improve affordability at four-year public universities, and improve college readiness, through outreach and early intervention.

Concerns about the President's Plan

Some opponents to the President's plan argue that making community colleges tuition-free isn't required because the average tuition for community colleges is an estimated \$3,330 a year. Poor and working-class students receive federal Pell Grants

which makes a community college education even more affordable for them.³⁹ According to education experts, reducing costs for students on its own is unlikely to significantly increase the number of students who complete their degrees.⁴⁰ President Obama's plan would make community college more affordable to students, including those whose tuition is already covered by federal and state aid, however, other expenses such as food, transportation, and books often present insurmountable hurdles.⁴¹ If grants are awarded to eligible students in addition to free tuition, as President Obama proposes, then many of these affordability issues would be addressed.⁴² The \$60 billion proposed in the plan to cover tuition would not increase colleges' revenue.⁴³ Although states would be required to pay for one-quarter of the tuition subsidy, some may raise that money by decreasing the direct subsidies they give colleges now, which currently cover approximately two-thirds of the cost of educating each student.⁴⁴

Some educators argue that the President's plan doesn't address the issue of high enrollment once free tuition becomes available, which would create overcrowding and waiting lists at community colleges, which many schools are already experiencing.⁴⁵ Tuition is only a fraction of the funding needed to educate additional students.⁴⁶ Additionally, the plan does not address the fact that increased enrollment would require hiring more faculty. A majority of community college students are taught by part-time faculty members.⁴⁷ Between 58 to 70 percent of community college faculty members are part-timers.⁴⁸ Furthermore, there is a need "to embrace the core principle that students pursuing two-year degrees should mostly be taught by full-time faculty members who are paid a good wage, with benefits."⁴⁹

IV. RESOLUTION NO. 585

Resolution No. 585 would state that according to the Center on Education and the Workforce at Georgetown University, by 2020, an estimated 35 percent of jobs will require at least a bachelor's degree and 30 percent will require some college or an associate's degree; and

The resolution would point out that community colleges have multiple missions directed at addressing the needs and interests of a wide variety of constituencies which include general education towards an associate's degree, transfer to a baccalaureate program, occupational certificate programs, and workforce development; and

The resolution would further point out that in Fall 2013, approximately 40 percent of all undergraduate students were enrolled in public two-year colleges, according to recent data by the United States Education Department, National Center for Education Statistics; and

The resolution would note that according to the Pew Research Center, in 2013, 46 percent of all Latino college students were enrolled in a public two-year college, as compared to 34 percent of the Black undergraduate population, 32 percent of the Asian undergraduate population and 30 percent of the White undergraduate population enrolled in a public two-year college; and

The resolution would further note that in New York City, the representation of students enrolled in a community college is approximately 39 percent Latino, 28 percent Black, 16 percent Asian and 17 percent White; and

The resolution would state that President Barack Obama announced a proposal called “America’s College Promise,” to make community colleges tuition-free for the first two years; and

The resolution would also state that under the plan, full-time and part-time students would be required to maintain a 2.5 grade point average (GPA) and make consistent progress toward completion of a college degree; and

The resolution would indicate that the plan would be open to community colleges that offer credit toward a four-year degree at a public institution or occupational training programs that offer certificates or degrees in high-demand fields; and

The resolution would further indicate that the plan calls for an estimated \$60 billion over ten years to help cover tuition and fees; and

The resolution would note that the federal government would cover three-quarters of the cost, and states that choose to participate in the program would cover the remainder of the cost; and

The resolution would further note that if all states participate, the program could save each full-time student an average of \$3,800 a year; and

The resolution would indicate that as of Fall 2014, New York State residents who are enrolled full-time at community colleges at the City University of New York (CUNY) pay \$4,500 per year in tuition, therefore the President’s plan would be highly beneficial to these students; and

The resolution would further indicate that under the plan, participating states are also required to “continue existing investments in higher education, coordinate high schools, community colleges, and four-year institutions to reduce the need for remediation and repeated courses, and allocate a significant portion of funding based on performance, not enrollment alone”; and

The resolution would note that opponents of the plan argue that making community colleges tuition-free is unnecessary because the average tuition for community colleges is an estimated \$3,330 a year, and that community colleges are made even more affordable to poor and working-class students through federal Pell Grants, according to *The New York Times*; and

The resolution would further note that according to the latest data by the National Center for Education Statistics, 41.9 percent of dependent students enrolled in a two-year college come from households with incomes less than \$20,000; and

The resolution would indicate that the plan would especially benefit students of color, including Black, Latino and Asian, many of whom come from low-income households earning less than \$20,000 as indicated by the National Center for Education Statistics; and

The resolution would further indicate that almost half (46.8 percent) of students enrolled at CUNY community colleges come from households with incomes less than \$20,000, which exceeds the national level; and

The resolution would note that although financial aid is available, low-income community college students are still confronted with additional costs such as housing, food, books, transportation and other expenses that make it very difficult for them to meet their financial obligations, which can often deter them from completing a college degree; and

The resolution would further note that such costs are exacerbated for those students living in New York City, which is one of most expensive cities in the nation; and

The resolution would indicate that according to the Center for American Progress, community colleges have been disproportionately impacted by state budget cuts in recent years, resulting in rising tuition costs, thus, limiting educational and career opportunities for students; and

The resolution would further indicate that it is important that all states, including New York State, participate in President Obama's America's College Promise plan to make college more affordable and to educate a competitive workforce that is vital to stimulating local economies in New York City, across the nation and globally; now, therefore, be it

Finally, the resolution would assert that the Council of the City of New York calls upon Congress to pass and the President to sign legislation to implement President 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.

V. CONCLUSION

At the March 9th hearing, the Committee considered whether to recommend adoption of Resolution No. 585. The Committee voted to adopt the resolution by a vote of 5 in the affirmative, zero in the negative, with zero abstentions.

¹ "2015 Community Colleges Fast Facts," *American Association of Community Colleges*, http://www.aacc.nche.edu/AboutCC/Documents/FS_2015_2.pdf

² "Community Colleges Play More Vital Role than Ever," Rassoul Dastmozd, PhD., *Huffington Post*, April 6, 2014, http://www.huffingtonpost.com/rassoul-dastmozd-phd/community-colleges-play-m_b_4723295.html

³ *Id.*

⁴ Supra Note 1, "2015 Community Colleges Fast Facts," *American Association of Community Colleges*, http://www.aacc.nche.edu/AboutCC/Documents/FS_2015_2.pdf

⁵ "Rethinking the Role of Community Colleges," Sophie Quinton, *National Journal Magazine*, March 1, 2014, <http://www.nationaljournal.com/next-america/education/rethinking-the-role-of-community-colleges-20140227>

⁶ "The Role of Two-Year Institutions in Four-Year Success," *National Student Clearinghouse Research Center*, Spring 2012, <http://www.studentclearinghouse.info/snapshot/docs/SnapshotReport6-TwoYearContributions.pdf>

⁷ *Id.*

⁸ Fain, Paul, "Graduate, Transfer, Graduate," *Inside Higher Ed*, November 8, 2012, <https://www.insidehighered.com/news/2012/11/08/high-graduation-rates-community-college-transfers>

⁹ Middle skill workers are defined as those who do not require a bachelor's degree, but do require some education or training following high school. Middle jobs include healthcare, computers, mathematics and

sales.

¹⁰“Mobility Makers,” *Center for an Urban Future*, November 2011,

https://nycfuture.org/pdf/Mobility_Makers.pdf

¹¹ *Id.*

¹² *Id.*

¹³ Ahmad, Farah, “Effects of State Higher Education Cuts on Communities of Color,” Center for American Progress.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ “Community College Contributions,” *American Association of Community Colleges Policy Brief 2013-01PB*, http://www.aacc.nche.edu/Publications/Briefs/Documents/ES_Contributions_13.pdf

¹⁸ *Id.*

¹⁹ <http://www.psc-cuny.org/clarion/august-2011/state-passes-5-year-plan-cuny-tuition-set-soar-maintenance-effort-pledge-falls-s>

²⁰ <http://www.hesc.ny.gov/pay-for-college/financial-aid/types-of-financial-aid.html>

²¹ *Id.*

²² Gonzalez-Rivera, Christian, “Tapped Out,” *Center for an Urban Future*, December 2014,

<https://nycfuture.org/research/publications/tapped-out>

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ Bailey, *Challenge and Opportunity: Rethinking the Role and Function of Developmental Education in Community College*, Community College Research Center, Teachers College, Columbia University, November 2008.

<http://ccrc.tc.columbia.edu/Publication.asp?UID=658>

²⁷ *Id.* Gonzalez-Rivera, Christian, “Tapped Out,” *Center for an Urban Future*, December 2014,

<https://nycfuture.org/research/publications/tapped-out>

²⁸ *Id.*

²⁹ “The 2016 Budget: Improving Opportunity and Affordability in Higher Education,” *Homeroom, U.S. Department of Education*, <http://www.ed.gov/blog/2015/02/the-2016-budget-improving-opportunity-and-affordability-in-higher-education/>

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ FACT SHEET - White House Unveils America’s College Promise Proposal: Tuition-Free Community College for Responsible Students, <http://www.whitehouse.gov/the-press-office/2015/01/09/fact-sheet-white-house-unveils-america-s-college-promise-proposal-tuitio>

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ The Editorial Board, “Expanding Community College Access,” *The New York Times*, January 15, 2015, http://www.nytimes.com/2015/01/15/opinion/expanding-community-college-access.html?_r=0

⁴⁰ Judith Scott-Clayton And Thomas Bailey, “The Problem with Obama’s ‘Free Community College’ Proposal,” January 20, 2015, <http://time.com/money/3674033/obama-free-college-plan-problems/>

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Horn, Michael, “Obama, free community college may not work,” *CNN.com*, January 21, 2015,

<http://www.cnn.com/2015/01/20/opinion/horn-community-college/>

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 585)

Res. No. 585

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.

By Council Members Barron, The Speaker (Council Member Mark-Viverito), Kallos, Williams, Crowley, Vacca, Arroyo, Chin, Eugene, Gibson, Johnson, Richards, Rose, Vallone, Van Bramer, Rodriguez, Cohen, Lander and Levin.

Whereas, According to the Center on Education and the Workforce at Georgetown University, by 2020, an estimated 35 percent of jobs will require at least a bachelor's degree and 30 percent will require some college or an associate's degree; and

Whereas, Community colleges have multiple missions directed at addressing the needs and interests of a wide variety of constituencies which include general education towards an associate's degree, transfer to a baccalaureate program, occupational certificate programs, and workforce development; and

Whereas, In Fall 2013, approximately 40 percent of all undergraduate students were enrolled in public two-year colleges, according to recent data by the United States Education Department, National Center for Education Statistics; and

Whereas, According to the Pew Research Center, in 2013, 46 percent of all Latino college students were enrolled in a public two-year college, as compared to 34 percent of the Black undergraduate population, 32 percent of the Asian undergraduate population and 30 percent of the White undergraduate population enrolled in a public two-year college; and

Whereas, In New York City, the representation of students enrolled in a community college is approximately 39 percent Latino, 28 percent Black, 16 percent Asian and 17 percent White; and

Whereas, President Barack Obama announced a proposal called "America's College Promise," to make community colleges tuition-free for the first two years; and

Whereas, Under the plan, full-time and part-time students would be required to maintain a 2.5 grade point average (GPA) and make consistent progress toward completion of a college degree; and

Whereas, The plan would be open to community colleges that offer credit toward a four-year degree at a public institution or occupational training programs that offer certificates or degrees in high-demand fields; and

Whereas, The plan calls for an estimated \$60 billion over ten years to help cover tuition and fees; and

Whereas, The federal government would cover three-quarters of the cost, and states that choose to participate in the program would cover the remainder of the cost; and

Whereas, If all states participate, the program could save each full-time student an average of \$3,800 a year; and

Whereas, As of Fall 2014, New York State residents who are enrolled full-time at community colleges at the City University of New York (CUNY) pay \$4,500 per year in tuition, therefore the President's plan would be highly beneficial to these students; and

Whereas, Under the plan, participating states are also required to "continue existing investments in higher education, coordinate high schools, community colleges, and four-year institutions to reduce the need for remediation and repeated courses, and allocate a significant portion of funding based on performance, not enrollment alone"; and

Whereas, Opponents of the plan argue that making community colleges tuition-free is unnecessary because the average tuition for community colleges is an estimated \$3,330 a year, and that community colleges are made even more affordable to poor and working-class students through federal Pell Grants, according to *The New York Times*; and

Whereas, According to the latest data by the National Center for Education Statistics, 41.9 percent of dependent students enrolled in a two-year college come from households with incomes less than \$20,000; and

Whereas, The plan would especially benefit students of color, including Black, Latino and Asian, many of whom come from low-income households earning less than \$20,000 as indicated by the National Center for Education Statistics; and

Whereas, Almost half (46.8 percent) of students enrolled at CUNY community colleges come from households with incomes less than \$20,000, which exceeds the national level; and

Whereas, Although financial aid is available, low-income community college students are still confronted with additional costs such as housing, food, books, transportation and other expenses that make it very difficult for them to meet their financial obligations, which can often deter them from completing a college degree; and

Whereas, Such costs are exacerbated for those students living in New York City, which is one of most expensive cities in the nation; and

Whereas, According to the Center for American Progress, community colleges have been disproportionately impacted by state budget cuts in recent years, resulting in rising tuition costs, thus, limiting educational and career opportunities for students; and

Whereas, It is important that all states, including New York State, participate in President Obama's America's College Promise plan to make college more affordable and to educate a competitive workforce that is vital to stimulating local economies in New York City, across the nation and globally; now, therefore, be it

March 11, 2015

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Resolved, That the Council of the City of New York calls upon Congress to pass and the President to sign legislation to implement President 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.

INEZ D. BARRON, *Chairperson*; JAMES VACCA, LAURIE A. CUMBO, YDANIS A. RODRIGUEZ, VANESSA L. GIBSON; Committee on Higher Education, March 9, 2015.

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 596-A

Report of the Committee on Housing and Buildings in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to approve, A.1865, in relation to repealing vacancy decontrol.

The Committee on Housing and Buildings, to which the annexed amended resolution was referred on February 26, 2015 (Minutes, page 657), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 596-A:)

Res. No. 596-A

Resolution calling upon the New York State Legislature to pass, and the Governor to approve, A.1865, in relation to repealing vacancy decontrol.

By Council Members Williams, Chin, Gibson, Johnson, Lander, Richard, Rose, Rodriguez, Cornegy, Garodnick, Miller, Van Bramer, Levin and Kallos.

Whereas, The serious housing emergency that has led to the enactment of the rent regulation laws continues to exist in New York City; and

Whereas, The latest Housing and Vacancy Survey conducted by the United States Bureau of the Census reveals a vacancy rate of only 3.45 percent in New York City; and

Whereas, New York State's rent regulation programs, known as rent control and rent stabilization, cover about 1 million apartments in New York City; and

Whereas, Rent-regulated housing represents most of the City's affordable housing; and

Whereas, Vacancy decontrol is the process by which a property owner removes a rent-regulated unit from the regulatory system when the permitted rent of the vacant unit increases above \$2,500 a month; and

Whereas, The New York City Rent Guidelines Board stated that about 133,173 rent-stabilized units have been deregulated due to vacancy decontrol since 1994; and

Whereas, This practice has greatly exacerbated the City's severe lack of affordable housing by taking thousands of affordable units off the market; and

Whereas, The lack of affordable housing creates a financial hardship because many households are paying at or over 30% of their income towards rent; and

Whereas, This financial hardship has forced many tenants to relocate, live in substandard housing conditions or become unable to keep up with living expenses; and

Whereas, Assembly Member Linda Rosenthal introduced A.1865 to repeal vacancy decontrol; and

Whereas, This bill is necessary to preserve New York City's affordable housing for future generations; 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 approve, A.1865, in relation to repealing vacancy decontrol.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

Report for voice-vote Res. No. 597

Report of the Committee on Housing and Buildings in favor of approving a Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2015.

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

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 597:)

Res. No. 597

Resolution determining that a public emergency requiring rent control in the City of New York continues to exist and will continue to exist on and after April 1, 2015.

By Council Members Williams, Johnson, Rosenthal, Chin, Eugene, Lander, Rodriguez, Cornegy Garodnick, Van Bramer, Koslowitz, Miller, Gibson, Kallos and Levin.

Whereas, The City, acting by the Mayor, has caused a survey to be made of the supply of housing accommodations and the need for continuing the regulation and control of residential rents and evictions within the City, and such survey has been submitted to the Council in accordance with the law; now, therefore, be it

Resolved, That the Council hereby determines that the public emergency requiring the regulation and control of residential rents and evictions within the City continues to exist and will continue to exist on and after April 1, 2015, and that an acute shortage of dwellings continues to exist and will continue to exist on and after

April 1, 2015, that such shortage constitutes a threat to the citizens of New York City and creates a special hardship to persons and families of limited and moderate means; that unless residential rents and evictions continue to be regulated and controlled, there will be excessive rent increases and evictions for failing to pay such increases, which will produce serious threats to the public health, safety and general welfare, that to prevent such perils to the public health, safety and general welfare, preventive action through local legislation of the City continues to be imperative; that such action, as a temporary measure to be effective until it is determined by the Council that such emergency no longer exists, is necessary in order to prevent threats to the public health, safety and general welfare; that the transition from regulation to a normal market of free bargaining between landlord and tenant, while still the object of State and City policy, must be administered with due regard for such emergency; and be it further

Resolved, That the Council of the City of New York, for the reasons hereinabove set forth, hereby determines, pursuant to subdivision 3 of section 1 of Chapter 21 of the Laws of 1962, as amended, that the continuation of the regulation and control of residential rents and evictions on and after April 1, 2015 is necessary to protect the public health, safety and general welfare and that such regulation and control should be continued as now or hereafter provided pursuant to the provisions of Chapter 3 of Title 26 of the Administrative Code of the City of New York, subject to such amendment as may be enacted into law.

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 609

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign S.2828/A.3809, which prohibits property owners from

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adjusting the preferential rent amount upon the renewal of a lease for a rent stabilized unit.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 619

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would end deregulation of rent regulated apartments.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 620

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign A. 344 in relation to Mitchell-Lama and Project-Based Section 8 developments.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

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(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 622

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign S.951, which repeals provisions of the Emergency Tenant Protection Act of 1974 that allow a 20 percent rent increase bonus after the vacancy of a tenant in a rent stabilized unit.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 623

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign A.398, which will provide rent control tenants relief from high rent increases.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

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

Report for voice-vote Res. No. 625

Report of the Committee on Housing and Buildings in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign S.2830, legislation amending the administrative code of the city of New York, the Emergency Tenant Protection Act of 1974 and the Emergency Housing Rent Control Law, in relation to making the Major Capital Improvement (MCI) rent increase a temporary surcharge.

The Committee on Housing and Buildings, to which the annexed preconsidered resolution was referred on March 11, 2015, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int No. 685 printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

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

JUMAANE D. WILLIAMS, *Chairperson*; ROSIE MENDEZ, YDANIS A. RODRIGUEZ, KAREN KOSLOWITZ, RAFAEL L. ESPINAL, Jr., MARK LEVINE, RITCHIE J. TORRES; Committee on Housing and Buildings, March 10, 2015. *Other Council Members Attending: Johnson.*

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

The following 2 Council Members formally voted against this item: Council Members Matteo and Ignizio.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 701

By the Speaker (Council Member Mark-Viverito) and Council Members Constantinides, Arroyo, Lander, Palma, Richards and Levin.

A Local Law to amend the New York city charter, in relation to passive building standards for certain capital projects and repealing section 3 of local law number 86 for the year 2005.

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 224.1 of chapter 9 of the New York city charter, as added by local law number 86 for the year 2005, is amended to read as follows:

e. This section shall apply only to capital projects involving buildings classified in occupancy groups B-1, B-2, C, E, F-1a, F-1b, F-3, F-4, G, H-1 and H-2, *except that subdivision l of this section shall apply to all buildings.*

§2. Section 224.1 of chapter 9 of the New York city charter is amended by adding new subdivisions l and m to read as follows:

l. (1) As used in this subdivision:

Net zero energy building. The term “net zero energy building” means a building that has been designed and constructed to produce energy onsite in an amount equal to or greater than such building’s total annual energy needs.

Onsite energy generating building. The term “onsite energy generating building” means a building that has been designed and constructed to produce energy onsite in an amount equal to or greater than ten percent (10%) of such building’s total energy needs.

Passive building. The term “passive building” means a building that has been designed and constructed to comply with passive building standards.

Passive building standards. The term “passive building standards” means standards adopted by the mayor pursuant to this subdivision for the design and construction of buildings.

PHIUS standards. The term “PHIUS standards” means standards prescribed for buildings designed and constructed to achieve PHIUS+ certification from the Passive House Institute US.

(2) (i) By no later than June 30, 2015, the mayor shall adopt passive building standards that are not less stringent than the PHIUS standards in effect on the effective date of the local law adding this subdivision and not less stringent than any other laws or rules governing the design and construction of buildings in the city, including but not limited to the New York city energy conservation code; provided that such passive building standards may be less stringent than such PHIUS standards to the minimum extent necessary to account for climate conditions in the city or a region containing the city.

(ii) Where the mayor adopts passive building standards that are less stringent than the PHIUS standards in effect on the effective date of the local law that added this subdivision, the mayor shall no later than sixty days after such adoption submit to the speaker of the council and make publicly available online a report describing the differences between such passive building standards and such PHIUS standards; provided further that where the PHIUS standards in effect on the date that such passive building standards are adopted account for climate conditions in the city or a region containing the city, such report shall include a description of the differences between such PHIUS standards and such passive building standards and, if any part of such PHIUS standards are more stringent than such passive building standards, the reasons that such PHIUS standards were not adopted.

(iii) If the PHIUS standards in effect on the date that the passive building standards are adopted do not account for climate conditions in the city or a region containing the city, and if, after such adoption, such PHIUS standards are revised to account for climate conditions in the city or a region containing the city, then no later than one hundred eighty days after the first publication of such revision, the mayor shall submit to the speaker of the council a report containing the mayor’s recommended changes to the passive building standards, if any, after considering such revision.

(3) (i) Each capital project with an estimated construction cost equal to or greater than the threshold set forth in paragraph one of subdivision b of this section, adjusted for inflation pursuant to subdivision j, and which involves the construction of a new building, an addition to an existing building or the substantial

reconstruction of an existing building shall be designed and constructed as a passive building.

(ii) In each fiscal year, at least twenty percent (20%) of the capital projects subject to subparagraph i of this paragraph for which construction work commences in such fiscal year shall be designed and constructed as onsite energy generating buildings.

(iii) For each capital project subject to subparagraph i of this paragraph with an estimated height of no more than three stories above grade, the administration shall consider the feasibility of designing and constructing such project as a net zero energy building.

(iv) This paragraph shall not apply to capital projects for which the final design is approved pursuant to section 223 of the New York city charter on or before June 30, 2015.

(4) For each capital project subject to paragraph three of this subdivision, the mayor shall apply to the Passive House Institute US for PHIUS+ Certification; provided that where such project was designed and constructed in accordance with passive building standards that are less stringent than the PHIUS standards in effect on the date of completion, the mayor shall no earlier than six months after completion of such project and no later than one year after such completion report to the speaker of the council as to whether such project is operating in compliance with such passive building standards.

(5) Where the mayor applies for PHIUS+ Certification for a capital project pursuant to paragraph four of this subdivision and such certification is denied, or where the mayor pursuant to such paragraph reports to the speaker of the council that a capital project is not operating in compliance with passive building standards, the mayor shall, until such certification is obtained or until such project operates in compliance with passive building standards, as applicable:

(i) take such remedial actions as are necessary;

(ii) by June 30 of each fiscal year provide to the speaker of the council a summary of remedial actions to be taken and the anticipated start and completion dates of such actions; and

(iii) report to the speaker of the council upon obtaining such certification or upon achieving project operation in compliance with passive building standards, as applicable.

(6) By June 30 of 2018 and every third year thereafter, the mayor shall submit to the speaker of the council and make public available online a report containing, at a minimum:

(i) recommended practices for designing and constructing passive buildings; and

(ii) recommended changes to the passive building standards, if any.

m. By no later than September 1 of each year, the mayor shall submit to the speaker of the council a report, in accordance with the procedure and format established by the department of design and construction, containing, at a minimum, the following information:

(1) for each capital project subject to this section completed during the preceding fiscal year:

(i) a brief description of such project;

(ii) the street address of such project and the community district in which such project is located;

(iii) the estimated level of LEED certification such project has achieved as determined by the city agency that designed such project in accordance with the LEED rating system or, if applicable, the level achieved, as certified by the United States Green Building Council;

(iv) additional costs attributable to complying with the LEED green building rating system or any other green building standard;

(v) a statement as to whether such project has been designed and constructed as a passive building or an onsite energy generating building;

(vi) a statement as to whether such project has applied for and received PHIUS+ Certification from the Passive House Institute US;

(vii) additional costs attributable to complying with the passive building standards and the onsite energy generating requirements of subparagraph ii of paragraph three of subdivision l of this section; and (viii) an assessment of the health, environmental and energy-related benefits achieved in comparison with a base-case code compliant project, including projected energy savings and reductions in peak load, reductions in emissions and reductions in storm water runoff and potable water use;

(2) where the project is no more than three stories above grade, a statement as to whether such project has been designed and constructed as a net zero energy building and the factors that went into determining the feasibility of designing and constructing such project as a net zero energy building;

(3) a summary of agency findings related to additional investment in energy efficiency pursuant to subparagraphs i, ii and iii of paragraph two of subdivision b of this section, including any additional investment in energy efficiency considered and the estimated payback time for such investment through savings in energy cost; and

(4) the total value of capital allocations in each fiscal year, by city agency, of projects subject to, and exempted by the mayor for each of paragraph one and subparagraphs i, ii and iii of paragraph two of subdivision b, paragraphs one and two of subdivision c, subdivision d and subparagraphs i and ii of paragraph three of subdivision l of this section, and a list and brief description, by agency, of such exempted projects, including square footage, project cost and the reasons for such exemption.

§3. Section 3 of local law number 86 for the year 2005 is REPEALED.

§4. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 702

By The Speaker (Council Member Mark-Viverito) and Council Members Chin, Arroyo, Constantinides, Gentile, Lander, Palma, Richards, Rose, Vallone, Wills, Rosenthal and Menchaca.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the development of a guide for building owners regarding aging in place.

Be it enacted by the Council as follows:

Section 1. Chapter two of title 21 of the administrative code of the city of New York is amended to add new section 21-205 to read as follows:

§ 21-205 Aging in place guide. In consultation with the department of buildings and the department of housing preservation and development, the department shall develop, distribute, and publish on its website a guide for owners regarding modifications and improvements that may be made to dwelling units to allow tenants to safely remain in such unit for as long as possible as such tenant ages. Such guide shall include, but not be limited to, information relating to improving access for individuals with limited mobility, lighting, railings and grab bars, and widening of doorways and hallways.

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

Referred to the Committee on Aging.

Preconsidered Res. No. 609

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.2828/A.3809, which prohibits property owners from adjusting the preferential rent amount upon the renewal of a lease for a rent stabilized unit.

By The Speaker (Council Member Mark-Viverito) and Council Members Williams, Arroyo, Chin, Gibson, Kallos, Lander, Levin, Levine, Palma and Rodriguez.

Whereas, According to the 2014 New York City Housing and Vacancy Survey, New York City is current in an affordable housing crisis and has a vacancy rate of 3.45 percent; and

Whereas, New York City has affordable housing programs to keep neighborhoods economically diverse and vibrant, and affordable for low and middle income New Yorkers; and

Whereas, One affordable housing program is rent stabilization, which limits rent increases and provides tenants with eviction protections in privately owned buildings; and

Whereas, New York State Homes and Community Renewal (HCR) administers over 1 million rent stabilized apartments in New York City; and

Whereas, New York State law allows a property owner to charge tenants “preferential rent,” which is rent that is less than the legal regulated rent under the rent stabilization program; and

Whereas, Tenants are usually offered preferential rent at the initial lease because the legal regulated rent is more than the market can bear; and

Whereas, When a tenant’s lease is up for renewal, property owners may raise the rent back to the legal regulated rent, which may be significantly higher than the preferential rent the tenant was previously paying; and

Whereas, Tenants who lose their preferential rent may not be able to find another affordable apartment due to New York City’s affordable housing crisis; and

Whereas, S.2828, pending at the New York State Senate, sponsored by State Senator Krueger, and A.3809, pending at the New York State Assembly, sponsored by Assembly Member Wright, would only allow a landlord to change the legal regulated rent on an apartment in which the tenant is paying a preferential rent upon the vacancy of the unit, not at renewal; 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 S.2828/A.3809, which prohibits property owners from adjusting the preferential rent amount upon the renewal of a lease for a rent stabilized unit.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Res. No. 610

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation granting New York City the authority to set its own minimum wage.

By The Speaker (Council Member Mark-Viverito), Dromm, Miller, Kallos, Levin, Johnson, Williams, Levine, Arroyo, Chin, Constantinides, Gibson, Lander, Palma, Richards, Rose, Koslowitz, Rosenthal and Menchaca.

Whereas, The most recently available data from the New York City Center for Economic Opportunity indicates that based on the New York City poverty threshold, poverty rates increased from 19.0 percent in 2008 to 21.4 percent in 2012; and

Whereas, New York City is the 16th most expensive city in the world to live in and the most expensive city in the United States, according to a 2014 study by Mercer, a global consulting company; and

Whereas, According to a 2014 National Employment Law Project (“NELP”) report, *An Unbalanced Recovery: Real Wage and Job Growth Trends*, recent job growth in New York City has primarily been concentrated in low wage industries such as fast food; and

Whereas, Indeed, according to a 2013 NELP study, *Super-Sizing Public Costs: How Low Wages at Top Fast-Food Chains Leave Taxpayers Footing the Bill*, the majority of jobs in the fast-food industry are low wage; and

Whereas, The same 2013 NELP study estimates that 52 percent of workers in the fast-food industry rely on at least one public assistance program; and

Whereas, According to the Fiscal Policy Institute, workers of color and women are more likely to earn low wages; and

Whereas, Given the high cost of living, New York City workers need a higher minimum wage in order to keep pace with other workers around the country; and

Whereas, A higher minimum wage could help address the serious income inequality that exists in New York City; and

Whereas, New York State Governor Andrew Cuomo recognized New York City's unique position by recently proposing a separate minimum wage for the City; and

Whereas, According to a 2013 NELP study an average family in New York City would need to earn \$15 to \$16 per hour to be "self-sufficient;" and

Whereas, The federal government last raised the minimum wage to \$7.25 per hour in 2007; and

Whereas, The New York State minimum wage is presently \$8.75 per hour and is scheduled to increase to \$9.00 per hour at the end of 2015; and

Whereas, As of February 2015, California, Connecticut, District of Columbia, Massachusetts, Oregon, Rhode Island, Vermont, and Washington State have a minimum wage greater than \$9 per hour; and

Whereas, Albuquerque, New Mexico; Bernalillo County, New Mexico; Montgomery County, Maryland; Prince George's County, Maryland; San Francisco, California; San Jose, California; Santa Fe, New Mexico; Santa Fe County, New Mexico; Seattle, Washington, and Washington DC, have each adopted a local minimum wage; and

Whereas, Seattle's minimum wage is currently \$9.47 per hour and will rise to \$15 per hour by 2021; and

Whereas, San Francisco's minimum wage is \$11.05 per hour, and will also rise to \$15 per hour by July, 2018; and

Whereas, According to a joint 2014 NELP and Fiscal Policy Institute study, *Why New York State Should Let Cities and Counties Enact Higher Local Minimum Wages*, local increases in minimum wage results in "significantly improved job and living conditions for workers and families at the bottom of their economies;" and

Whereas, Furthermore, according to the United States Department of Labor, increasing the minimum wage spurs small business development, greater consumer spending and sustained economic growth; and

Whereas, Authorizing New York City to establish its own minimum wage will result in a minimum wage that correlates to the City's high cost of living and better reflects the reality of living in New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation granting New York City the authority to set its own minimum wage.

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Referred to the Committee on Civil Service and Labor.

Res. No. 611

Resolution calling upon the New York State Legislature to pass and the Governor to sign, legislation to grant the City of New York the authority to enforce State worker protection laws.

By The Speaker (Council Member Mark-Viverito) and Council Members Miller, Arroyo, Chin, Gibson, Johnson, Lander, Palma, Richards, Rose, Koslowitz, Rosenthal and Menchaca.

Whereas, The New York State Department of Labor is vested with the power to enforce State worker protection laws, including the payment of wages, workers compensation, and unemployment benefits; and

Whereas, In addition, the State Attorney General (AG) has a Bureau dedicated to investigating labor violations and enforcing State labor laws, including the Wage Theft Prevention Act; and

Whereas, According to the most recent statistics from the United State Census Bureau, there were 1.9 million business firms located in New York State, with 50.8 percent of the firms based in New York City; and

Whereas, According to the New York State Department of Labor, as of December 2014, there were at least 3.6 million people working in the private sector in New York City; and

Whereas, According to a 2006 National Employment Law Project (NELP) report, *Protecting New York's Workers: How the State Department of Labor Can Improve Wage-and-Hour Enforcement*, the State Department of Labor had just 120 investigators dedicated to investigating labor law violations statewide; and

Whereas, In 2009, NELP published a report, *Broken Laws, Unprotected Workers: Violations of Employment and Labor Law in America's Cities*, that examined worker protection law enforcement in Chicago, Los Angeles and New York City; and

Whereas, The NELP report highlighted the roles that local communities can play in enforcing worker protection laws, noting that local collaboration can provide the vital ears on the ground to identify where workplace violations are most concentrated;” and

Whereas, Further, according a 2014 New York Times article, *More Workers are Claiming 'Wage Theft,'* wage theft is becoming an increasingly widespread problem in New York City; and

Whereas, Presently, employees have few options to pursue action against their employers, and even when employees resort to litigation, there are considerable hurdles to the eventual collection of judgments; and

Whereas, While the NYSDOL and the AG work to enforce worker protection laws, giving New York City the authority to locally enforce these laws will greatly expand enforcement capacity and help safeguard worker rights; and

Whereas, Local governments are equipped to address local problems because they are in a better position to identify and swiftly respond to local concerns; and

Whereas, Granting New York City the authority to enforce worker protection laws will allow the City to concentrate and deploy resources in a way that more effectively addresses the problems employer misconduct; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, legislation to grant the City of New York the authority to enforce State worker protection laws.

Referred to the Committee on Civil Service and Labor.

Res. No. 612

Resolution calling upon the New York State Legislature to pass and the Governor to sign, A.5501, strengthening the provisions of the Wage Theft Prevention Act.

By The Speaker (Council Member Mark-Viverito) and Council Members Torres, Lancman, Ferreras, Johnson, Miller, Arroyo, Chin, Constantinides, Gentile, Gibson, Lander, Palmer, Rose, Koslowitz, Rosenthal, Menchaca and the Public Advocate (Ms. James).

Whereas, The New York State Wage Theft Prevention Act (“the Act”) became effective on April 9, 2011, and was amended in 2014; and

Whereas, The Act was intended to provide protection to workers against wage theft; and

Whereas, Specifically, the Act, regulates the manner workers are notified of their pay rates and receive wage statements, and expands the civil and criminal remedies for wage theft; and

Whereas, However, even when employees successfully pursue civil remedies against their employers who stole wages, State law places considerable hurdles that hinder the collection of money judgments; and

Whereas, For example, according to a 2015 report, *Empty Judgments: The Wage Collection Crisis in New York*, issued by the Legal Aid Society, the Urban Justice Center, and National Center for Law and Economic Justice, existing lien and legal procedures make collection extremely difficult; and

Whereas, The 2015 *Empty Judgments* report “identified at least \$125 million in empty judgments and orders” and purports that the State has been unable to collect over \$101 million in unpaid wages between 2003 and 2013, according to records of the New York State Department of Labor; and

Whereas, New York State Assembly bill A.5501, introduced by Assemblymember Linda Rosenthal, would strengthen the existing Wage Theft Prevention Act by creating a process to allow an employee to impose a lien on an employer’s property for the amount of unpaid wages arising out of the employee’s employment claim; and

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Whereas, Under the law, workers would have a better chance of enforcing money judgments; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign, A.5501, strengthening the provisions of the Wage Theft Prevention Act.

Referred to the Committee on Civil Service and Labor.

Int. No. 703

By Council Members Constantinides, Johnson, Kallos, Arroyo, Koo, Levine, Palma, Richards, Rose and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to cooling centers.

Be it enacted by the Council as follows:

Section 1. Chapter 1 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 Cooling centers. *a. For the purposes of this section, the following terms shall mean:*

1. *“Air quality index” means the index established by the United States environmental protection agency for the purpose of reporting daily air quality.*

2. *“Cooling center” means any facility that is designated by the city to provide air-conditioned relief to the public whenever there is an occurrence or a forecast of a heat-related emergency.*

3. *“Heat index” means a measurement of the combined air temperature and relative humidity that attempts to determine the human-perceived equivalent temperature.*

4. *“Heat-related emergency” means the level at which the heat index is deemed to be unsafe or unhealthy for vulnerable populations as determined by the department by rule.*

5. *“Poor air quality index” means the level at which the air quality index is deemed to be unsafe or unhealthy for vulnerable populations as determined by the department by rule.*

6. *“Vulnerable population” means any group of persons that are sensitive to or otherwise at a greater health risk than the general population from a heat-related emergency or a poor air quality index.*

b. The department, in consultation with the New York city office of emergency management, shall open, maintain and operate cooling centers when there is a heat-related emergency or a poor air quality index in the city. The department shall determine by rule the number and locations of cooling centers to be located in the city, provided, however, that there shall be no fewer than the median number of locations that were operated on any given day that cooling centers were operated

under the city's previous program during the year ending in two thousand fourteen. When determining establishing the locations of such centers, the department shall take into account the areas in which vulnerable populations reside and make best efforts to locate such centers in areas where such vulnerable populations would likely use such centers when they are in operation pursuant to this section.

c. The department shall post information on its website that contains information including, but not limited to, any health alerts triggered by heat-related emergencies or a poor air quality index, and the availability, hours of operation, and locations of cooling centers. The website shall list the availability, hours of operation, and locations of such cooling centers on or by May 1 of every year.

d. The department shall conduct a public education campaign on heat-related emergencies and poor air quality indexes, and how to prevent health risks associated with such conditions. Such education shall include, but not be limited to encouraging vulnerable populations to limit exposure and to remain inside an air conditioned building or dwelling during heat-related emergencies and to minimize being outdoors on days where there is a poor air quality index. The department shall display written educational materials in buildings designated by the department to be cooling centers; and conduct outreach to communities where vulnerable populations are likely to reside.

e. On or before June 1 of 2016 and every year thereafter, the department shall conduct a citywide survey to determine public awareness of the cooling centers.

f. On or before December 31 of 2016 and each year thereafter, the department shall submit an annual report to the council and the mayor detailing the department's efforts to inform the public of the availability and value of cooling centers.

1. Such annual report shall include: (i) the median number of cooling centers made available on days that such centers are open and intended for use pursuant to subdivision b; (ii) an estimate of the number of persons seeking relief at each cooling center over the course of each year covered by such report, disaggregated by age group and community board; (iii) the results from the citywide survey conducted pursuant to subdivision e of this section; and (iv) a discussion of any measures taken by the department for the education and/or outreach to the public regarding the health hazards posed by heat-related emergencies and the presence of a poor air quality index, the need to limit exposure to such conditions, and the availability, hours of operations, and locations of cooling centers.

2. Such report shall also include (i) an evaluation of the effectiveness of the department's programs or initiatives to inform the public of the availability and value of cooling centers; (ii) recommendations for new programs and/or strategies that could be implemented by the department, non-governmental organizations or other entities to improve public outreach and the utilization of cooling centers; and an estimate of any additional funding needed for the implementation of any such recommendations.

§ 2. This local law shall take effect 180 days after its enactment into law, provided that the commissioner of the department of health and mental hygiene, in consultation with the commissioner of the New York city office of emergency

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management, shall take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law, prior to such effective date.

Referred to the Committee on Health.

Int. No. 704

By Council Members Crowley, Mealy, Arroyo, Chin, Gibson, Palma, Rose, Koslowitz, Ferreras, Dickens, Mendez, Cumbo, Barron and Rosenthal.

A Local Law to amend the New York city charter, in relation to gender in the workforce and leadership of city contractors

Be it enacted by the Council as follows:

Section 1. Paragraph two of subdivision e of Section 1305 of the New York city charter is hereby amended to read as follows:

2. An employment report shall include, but not be limited to, employment practices, policies, procedures, statistics and collective bargaining agreements, *including such information as it pertains to directors, officers, and other executive-level staff members, and the proposed contractor or subcontractor's goals for diversity in its leadership.* The contracting agency shall transmit the employment report to the commissioner after the selection of a proposed contractor or subcontractor. The commissioner shall review all employment reports to determine whether such contractors and subcontractors are in compliance with the equal employment opportunity requirement of local, state and federal law and executive orders.

§ 2. Subdivision e of Section 1305 of the New York city charter is hereby amended by adding a new paragraph 8 to read as follows:

8. *On or before March 1 of each year, the division shall submit to the mayor and the city council a report on the employment practices, policies, procedures, statistics and leadership diversity goals of city contractors covered by rules established pursuant to this section. That report shall include, based upon employment reports and periodic updated employment reports as provided for in subsection f of this section, statistics on the gender composition of city contractors, including their directors, officers and other executive-level staff, and an analysis of city contractors' reported goals for diversity along with any measures taken to achieve those goals.*

§ 3. This local law shall take effect 120 days after it shall have become a law, except that the commissioner of small business services may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Economic Development.

Int. No. 705

By Council Members Crowley, Mealy, Chin, Palma, Rose, Koslowitz, Ferreras, Dickens, Mendez, Cumbo, Arroyo, Barron and Rosenthal.

A Local Law to amend the New York city charter, in relation to racial diversity in the workforce and leadership of city contractors.

Be it enacted by the Council as follows:

Section 1. Paragraph two of subdivision e of Section 1305 of the New York city charter is hereby amended to read as follows:

2. An employment report shall include, but not be limited to, employment practices, policies, procedures, statistics and collective bargaining agreements, *including such information as it pertains to directors, officers, and other executive-level staff members, and the proposed contractor or subcontractor's goals for diversity in its leadership.* The contracting agency shall transmit the employment report to the commissioner after the selection of a proposed contractor or subcontractor. The commissioner shall review all employment reports to determine whether such contractors and subcontractors are in compliance with the equal employment opportunity requirement of local, state and federal law and executive orders.

§ 2. Subdivision e of Section 1305 of the New York city charter is hereby amended by adding a new paragraph 8 to read as follows:

8. On or before March 1 of each year, the division shall submit to the mayor and the city council a report on the employment practices, policies, procedures, statistics and leadership diversity goals of city contractors covered by rules established pursuant to this section. That report shall include, based upon employment reports and periodic updated employment reports as provided for in subsection f of this section, statistics on the racial composition of city contractors, including their directors, officers and other executive-level staff, and an analysis of city contractors' reported goals for diversity along with any measures taken to achieve those goals.

§ 3. This local law shall take effect 120 days after it shall have become a law, except that the commissioner of small business services may take such actions as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Economic Development.

Int. No. 706

By Council Members Dromm, King, Levine, Chin, Johnson and Palma.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of the department of correction to post a quarterly report regarding the visitation of incarcerated individuals.

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

“Borough jail facility” shall mean any department facility located outside Rikers Island.

“Visitor” shall mean any person other than an inmate or employee of the department who enters a department facility with the stated intention of visiting an inmate at any department facility.

b. The commissioner shall post on the department website on a quarterly basis a report containing information pertaining to the visitation of the inmate population in city jails for the prior quarter. Such quarterly report shall include:

1. The total number of visitors to city jails, the total number of visitors to borough jail facilities, and the total number of visitors to Rikers Island.

2. The total number of visitors that visited an inmate at city jails, the total number of visitors that visited an inmate at a borough jail facility, and the total number of visitors that visited an inmate at Rikers Island.

3. The total number of visitors that visited an inmate at city jails who registered as the attorney for that inmate, the total number of visitors that visited an inmate at a borough jail facility who registered as the attorney for that inmate, and the total number of visitors that visited an inmate at Rikers Island who registered as the attorney for that inmate.

4. For each of the following categories, the number of visitors unable to visit an inmate at any department facility: (i) the inmate was not located at that facility, (ii) the inmate refused the visit, (iii) the inmate was unable to complete a visit due to a scheduling issue, such as the attempted visit was on the improper date, the attempted visit was on the improper hour, or the attempted visit was during a time when there was mandatory department staff activities that prevented a visit, such as inmate count, (iv) there was no inmate movement in the facility during the time of the attempted visit, (v) the inmate was not permitted to complete a visit due to department-imposed sanctions, (vi) the visitor did not possess proper identification, (vii) the visitor did not meet the department’s dress code, (viii) any other reason the visit was not completed.

5. *The inmate visitation rate, which shall be calculated by dividing the average daily city jail population during the reporting period by the average daily number of visitors who visited an inmate at a city jail during the reporting period.*

6. *The borough facility visitation rate, which shall be calculated by dividing the average daily population of borough facilities during the reporting period by the average daily number of visitors who visited an inmate at a borough facility during the reporting period.*

7. *The Rikers Island visitation rate, which shall be calculated by dividing the average daily population of Rikers Island during the reporting period by the average daily number of visitors who visited an inmate at Rikers Island during the reporting period.*

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

Referred to the Committee on Fire and Criminal Justice Services.

Res. No. 613

Resolution calling on the American Psychological and American Psychiatric Associations to immediately pass resolutions declaring the practice of “curative therapy,” also known as “reparative” or “conversion” therapy, or any attempt to change, alter, or “correct” a person’s sexual orientation, to be unethical.

By Council Members Dromm, Arroyo, Chin, Gentile, Johnson, Lander, Levine, Palma, Richards, Rosenthal and Menchaca.

Whereas, The Williams Institute, in 2011, estimated that 3.5% of the adults in the United States identify as gay, lesbian, or bisexual, and more than 19 million people in the United States have had a same-sex sexual experience; and

Whereas, The American Psychiatric Association (APA) began removing homosexuality from the Diagnostic and Statistical Manual of Mental Disorders (“DSM”) in 1973 and completely removed homosexuality from the DSM in 1986; and

Whereas, The APA further reported that “...societal ignorance, prejudice and pressure to conform to heterosexual desires are the real dangers to gay people’s mental health”, according to a 1997 statement on "conversion" or "reparative" therapy; and

Whereas, The World Health Organization removed homosexuality from the International Classification of Diseases in 1990; and

Whereas, Despite the fact that homosexuality is not an illness and therefore cannot be cured, certain practitioners have nonetheless attempted to “cure” homosexuality using a variety of techniques, many of which are often performed on children; and

Whereas, Both the American Medical Association and the American Academy of Pediatrics oppose the use of so-called reparative or conversion therapy; and

Whereas, The Pan American Health Organization (The World Health Organization's North and South American division) has found that reparative therapy contributes to the stigmatization of homosexuality, which leads to bullying and trauma, and in May 2012 condemned such treatment as a "a serious threat to the health and well-being-even the lives-of affected people"; and

Whereas, The American Psychological Association passed a resolution in 2009 stating that the practice of curative therapy can cause depression and suicide attempts; and

Whereas, Dr. Robert Spitzer, M.D., a retired Professor of Psychiatry at Columbia University, former researcher at the Columbia University Center for Psychoanalytic Training and Research, and the author of a widely circulated and often cited study published in 2001 which lent credence to curative or restorative therapy, apologized to the gay community for that report in a letter sent in 2012; and

Whereas, Dr. Spitzer's letter stated "I believe I owe the gay community an apology for my study making unproven claims of the efficacy of reparative therapy"; and

Whereas, The letter by Dr. Spitzer went on to say "I also apologize to any gay person who wasted time and energy undertaking some form of reparative therapy because they believed that I had proven that reparative therapy works with some "highly motivated individuals"; and

Whereas, In 2012, the California passed a law banning so-called curative therapy for any patient under 18 years of age, which legislation was stayed as it was being appealed on First Amendment grounds, and ultimately ruled constitutional by the United States Court of Appeals for the Ninth Circuit; and

Whereas, New Jersey Governor Chris Christie signed legislation into law in 2012 concerning the protection of minors from attempts to change sexual orientation; and

Whereas, That New Jersey law quotes from an APA report that states, in part, "In the last four decades, 'reparative' therapists have not produced any rigorous scientific research to substantiate their claims of cure"; and

Whereas, The APA report further quotes and says: "Until there is such research available, [the American Psychiatric Association] recommends that ethical practitioners refrain from attempts to change individuals' sexual orientation, keeping in mind the medical dictum to first, do no harm"; and

Whereas, The American Psychological Association found that efforts to change a child's sexual orientation can cause "critical health risks" like depression, substance abuse and suicidal thoughts; and;

Whereas, Health care professionals who participate in such discredited therapies should be subject to sanctions for violating the ethics and standards of their professions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the American Psychological and American Psychiatric Associations to immediately pass resolutions declaring the practice of "curative therapy," also known as "reparative"

or “conversion” therapy, or any attempt to change, alter, or “correct” a person’s sexual orientation, to be unethical.

Referred to the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services.

Res. No. 614

Resolution calling on the New York State Legislature to pass and the Governor to sign into law A.4558/S.61, which would prohibit discrimination on the basis of gender expression or identity and expand the State's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

By Council Members Dromm, Johnson, Menchaca, Mendez, Torres, Van Bramer, Arroyo, Chin, Constantinides, Gentile, Gibson, Lander, Levine, Palma, Richards, Rose, Weprin, Rosenthal and Koslowitz.

Whereas, According to the New York State Department of Health, approximately 300,000 individuals living in the state of New York self-identify as transgender; and

Whereas, Despite the progressive reputations of our city and state, transgender individuals continue to endure discrimination and threats to their physical well-being; and

Whereas, According to a 2010 report by the National Coalition of Anti-Violence Programs, 14 percent of victims or survivors of hate violence in the United States in 2009 were transgender men and women; and

Whereas, In New York City, approximately 13 percent of the reports of hate violence received by the New York City Anti-Violence Project in 2009 came from transgender men and women; and

Whereas, According to a 2011 report by the National Gay and Lesbian Taskforce and the National Center for Transgender Equality ("the report"), 90 percent of those surveyed had experienced discrimination at work for reasons related to their gender identity or expression, and 24 percent had lost their jobs for the same reason; and

Whereas, The report also disclosed that 19 percent of respondents had been refused a home or apartment, and 11 percent had been evicted, because of their gender identity or expression; and

Whereas, Transgender individuals are also not safe from anti-trans bias in places of public accommodation, where, according to the report, 53 percent of respondents had experienced harassment and discrimination; and

Whereas, In 2002, the New York City Council passed Local Law 3, which amended the Human Rights Law to define gender as "actual or perceived sex and a person's gender identity, self-image, appearance, behavior or expression, whether or not traditionally associated with the legal sex assigned to that person at birth," thereby including transgender individuals in the class of people to be protected from

bias-related harassment and discrimination in housing, employment and public accommodations; and

Whereas, Although New York City extends many protections to transgender individuals, those living in the rest of the State are not guaranteed the same treatment; and

Whereas, If passed, A.4558/S.61 (Gottfried/Squadron) would address this disparity at the state level by amending the Executive Law, Civil Rights Law and Education Law to prohibit discrimination on the basis of gender identity or expression in housing, employment, public accommodation and other areas; and

Whereas, The legislation would also amend the Penal Law to include gender identity or expression in the list of categories that are currently protected under the State's hate crimes statute; and

Whereas, Eighteen states and the District of Columbia have already enacted laws protecting transgender individuals from discrimination, as well as several cities and counties in New York State, and the United States Department of Education has provided guidance that the federal Title IX law prohibiting discrimination also applies to transgender students; and

Whereas, Without protection from bias-related harassment and discrimination, transgender individuals are placed at a severe disadvantage in every facet of their lives; and

Whereas, It is imperative that the state of New York protect all of its marginalized communities, including the transgender community; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass and the Governor to sign into law A.4558/S.61, which would prohibit discrimination on the basis of gender expression or identity and expand the state's hate crimes statute to include offenses committed against someone on the basis of his or her gender expression or identity.

Referred to the Committee on Civil Rights.

Int. No. 707

By Council Members Espinal, Rose and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to the permitted activities of home improvement contractors in regard to home improvement financing.

Be it enacted by the Council as follows:

Section 1. Subdivision 17 of section 20-393 of the administrative code of the city of New York is amended to read as follows:

17. Notwithstanding any other provisions of this section, no person licensed under this subchapter shall, in connection with any home repair or home

improvement, act as an agent for[, or advertise, promote or arrange for the services of] a lender or its affiliate, *or advertise or promote for only one lender or affiliate*, to secure a home loan or a home improvement loan for or on behalf of an owner.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Consumer Affairs.

Int. No. 708

By Council Members Eugene and Chin.

A Local Law in relation to a disconnected youth task force.

Be it enacted by the Council as follows:

Section 1. a. For the purposes of this section, “disconnected youth” means youth between the ages of sixteen and twenty-four years, who are neither connected to an educational institution or to the workforce.

b. Membership. There shall be a disconnected youth task force. Members shall serve without compensation from the city and shall be appointed no later than thirty days after the effective date of this chapter. The task force shall be composed of eleven members as follows:

i. the commissioner of the department of youth and community development or his/her designee;

ii. the commissioner of the department of small business services or his/her designee;

iii. the chancellor of the department of education or his/her designee;

iv. the commissioner of the administration for children services or his/her designee.

v. four members shall be appointed by the mayor and shall represent organizations whose mission is providing assistance to youth aging out of foster care or youth involved in the criminal justice system;

vi. three members shall be appointed by the speaker of the council and shall represent organizations whose mission is advocating for youth; and

vii. two youth leaders who are between the ages of sixteen and twenty-four at the time of appointment shall be appointed by the speaker of the council and shall represent disconnected youth.

c. Meetings and procedure. The commissioner of department of youth and community development or his/her designee shall be the chairperson of the task force. The task force shall meet not less than once every quarter year for a full year. The task force may establish its own rules and procedures with respect to the conduct of its meetings and other affairs not inconsistent with law.

d. Report. Not later than sixty days after the last required quarterly meeting, the task force shall issue a report to the mayor and the council. Such report shall include but need not be limited to: an analysis of existing data, evidence and opinions; evaluations and recommendations with regard to existing programs that could be

improved, changed or eliminated to better service disconnected youth; evaluations, policy proposals and recommendations for changes to federal, state, or local laws; recommendations on initiatives to better serve disconnected youth with regard to their employment preparation and opportunities, skills training and mentoring; and recommendations on how the city could collect data reflecting the experiences and outcomes of disconnected youth regarding the following: living arrangements, level of education attainment, employment status, skills or employment training received, certifications, use of New York city workforce development centers, involvement in the criminal justice system, and involvement with mental health systems.

e. Dissolution. Six months after the issuance of the report pursuant to subdivision d of this section, the task force shall cease to exist.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Youth Services.

Int. No. 709

By Council Members Eugene and Chin.

A Local Law to amend the New York city charter, in relation to workforce development.

Be it enacted by the Council as follows:

Section 1. Chapter 56 of the New York city charter is amended by adding a new section 1307 to read as follows:

§ 1307 *Workforce development. a. For the purposes of this section:*

1. *“disconnected youth” shall mean youth between the ages of sixteen and twenty-four years, who are neither connected to an educational institution or to the workforce; and*

2. *“specialty services” shall mean career exploration and counseling, interpersonal communication skills building and job training that is specific to the population being served.*

b. There shall be a workforce development division within the department. The purpose of the division shall be to prepare and connect qualified candidates and employers to job opportunities in New York city. The division shall provide, at minimum, resume development, interview workshops, skills building workshops, training opportunities, and recruitment events. The division shall provide specialty services, at minimum, to disconnected youth, healthcare professionals, industrial and transportation professionals and veterans and their spouses.

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

Referred to the Committee on Small Business.

Int. No. 710

By Council Members Garodnick, Koslowitz, Levine, Cornegy and Reynoso.

A Local Law to amend the administrative code of the city of New York, in relation to owner's right of access.

Be it enacted by the Council as follows:

Section 1. Section 27-2008 of the administrative code of the city of New York is amended as follows:

§ 27-2008 Owner's right of access. *a.* No tenant shall refuse to permit the owner, or his or her agent or employee, to enter such tenant's dwelling unit or other space under his or her control to make repairs or improvements required by this code or other law or to inspect such apartment or other space to determine compliance with this code or any other provision of law, if the right of entry is exercised at a reasonable time, [and] in a reasonable manner *and after provision of notice pursuant to subdivision b and c of this section, if applicable, provided that the owner shall accommodate reasonable requests to reschedule such entry.* The department may by rule or regulation restrict the time and manner of such inspections.

b. In addition to any rules or regulations promulgated by the department pursuant to this section, an owner shall provide a tenant with written notice before entering such tenant's dwelling unit, except in cases of emergency as defined by rules of the department. Where such entry is for the purpose of conducting an inspection to determine compliance with this code or any other provision of law, such notice shall be delivered by personal delivery and electronic mail, if such tenant has provided the owner with an electronic mail address, at least seventy-two hours before such entry. Where such entry is for the purpose of making repairs or improvements or doing other work within such dwelling unit, such notice shall be delivered by personal delivery and electronic mail, if such tenant has provided the owner with an electronic mail address, at least fourteen days before such entry. The required notice period is waived if (1) such tenant gives consent that the owner may enter the dwelling unit at a date and time prior to the expiration of the notice period or (2) such repair, improvement or other work is being done at the request of such tenant.

c. The notice required by subdivision b shall be in a form approved by the department and shall include (1) the date of the notice, (2) the date and time the owner seeks to enter the dwelling unit, (3) a contact phone number for the owner or the owner's agent responsible for such entry, (4) the name of the person delivering the notice, (5) a statement of the reason for such entry; and (6) a statement that the law requires tenants to be notified seventy-two hours before an owner can enter a dwelling unit for an inspection and fourteen days before an owner can enter a dwelling unit for repairs, improvements or other work, and that tenants may waive such notice periods by giving consent for the owner to enter the dwelling unit at a date and time prior to the expiration of the notice period. Such notice shall be provided in English and Spanish, provided that, where such tenant has identified to

the owner as being unable to meaningfully communicate in English or Spanish, the owner shall make best efforts to provide such notice in a language in which such tenant can meaningfully communicate.

§2. This local law shall take effect 120 days after enactment, except that the commissioner of housing preservation and development 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 Housing and Buildings.

Int. No. 711

By Council Members Johnson, Gentile, Koo, Rodriguez, Rose, Constantinides, Cabrera, Levin, Dromm, Lander, Levine, Koslowitz, Vacca, Vallone, Chin, Espinal, Rosenthal, Cohen, Palma, Deutsch, Cornegy, Greenfield, Reynoso, Richards, Maisel, Weprin, Menchaca, Garodnick, Treyger and Cumbo.

A Local Law to amend the New York city charter, in relation to mandating that the Mayor's Management Report include citizen satisfaction survey responses.

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 12 of the New York city charter is amended by adding a new paragraph (7) to read as follows:

c. The management report shall include a review of the implementation of the statement of needs as required by subdivision h of section two hundred four and shall contain for each agency

(1) program performance goals for the current fiscal year and a statement and explanation of performance measures;

(2) a statement of actual performance for the entire previous fiscal year relative to program performance goals;

(3) a statement of the status of the agency's internal control environment and systems, including a summary of any actions taken during the previous fiscal year, and any actions being taken during the current fiscal year to strengthen the agency's internal control environment and system;

(4) a summary of rulemaking actions undertaken by the agency during the past fiscal year including

(a) the number of rulemaking actions taken,

(b) the number of such actions which were not noticed in the regulatory agenda prepared for such fiscal year, including a summary of the reasons such rules were not included in such regulatory agenda, and

(c) the number of such actions which were adopted under the emergency rulemaking procedures;

(5) a summary of the procurement actions taken during the previous fiscal year, including: (i) for each of the procurement methods specified in section three hundred twelve, the number and dollar value of the procurement contracts entered into during such fiscal year; and (ii) for all procurement contracts entered into pursuant to a procurement method other than that specified in paragraph one of subdivision a of section three hundred twelve, the number and dollar value of such procurement contracts by each of the reasons specified in paragraph one of subdivision b of section three hundred twelve; [and]

(6) an appendix indicating the relationship between the program performance goals included in the management report pursuant to paragraph two of this subdivision and the corresponding expenditures made pursuant to the adopted budget for the previous fiscal year[.]; *and*

(7) for those agencies that provide services to the public, the results of a citizen satisfaction survey or surveys conducted pursuant to subdivision h of section 15 of the charter gauging how those who are served by such agencies perceive the effectiveness of the services provided.

§ 2. Section 15 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. The office of operations shall conduct an annual citizen satisfaction survey or surveys gauging how those who are served by agencies that provide services to the public perceive the effectiveness of the services provided.

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

Referred to the Committee on Governmental Operations.

Int. No. 712

By Council Members Johnson, Constantinides, Arroyo, Chin, Gentile, Richards, Rose, Wills, Koslowitz and Ulrich.

A Local Law to amend the administrative code, in relation to requiring the department of health and mental hygiene to conduct community air quality surveys and publish the results annually.

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 Community Air Quality Surveys and Annual Report. *a. For the purposes of this section, the following terms shall have the following meanings:*

1. "Arterial streets" means arterial streets as defined in subdivision d of section 19-182 of the administrative code of the city of New York.

2. "Pollutants" means particulate matter that is less than 2.5 micrometers in diameter, nitrogen dioxide, nitric oxide, sulfur dioxide, ozone, and any new pollutants.

3. *“New pollutants” means any chemicals, particles or other contaminants identified pursuant to subdivision d of this section which are not covered by the definition of pollutant as defined in this subdivision.*

b. The department shall conduct a community air quality survey on an annual basis. Such survey shall:

1. Measure pollutants at street-level at 150 monitor locations across the city over every season of the year, provided however, that at least 20 percent of such monitor locations be located at or near arterial streets. At the discretion of the department, data on ozone may be measured in the summer months only and data on sulfur dioxide may be measured in the winter months only;

2. Analyze how pollution concentrations near monitor locations vary across the city’s neighborhoods in relation to traffic, buildings, ground cover and other neighborhood factors and how pollution impacts air quality in different neighborhoods;

3. Identify the major sources of air pollution, including both local and regional sources;

4. Identify and analyze patterns of pollution by geographic area, pollution source, and by season or time of year;

5. Include maps indicating the varying concentration levels of pollutants by borough and by pollutant;

6. Make recommendations for city, state and federal action to improve air quality and reduce pollution and exposure to pollutants, including, but not limited to initiatives to reduce traffic and building-related emissions, especially in the most polluted parts of the city;

7. Estimate population exposure to pollutants for future surveillance and health research; and

8. Report on the scientific methodology used to select monitor locations for measuring air pollution and for studying variations in air pollution.

c. Beginning March 1, 2016, and on or before March 1 annually thereafter, the department shall submit to the council a report with the results of the annual community air quality survey for the preceding calendar year. The department shall post a copy of such annual report on the department's website.

d. The department may, upon recommendation by other city agencies, the council, advocacy groups or on its own initiative, consider new pollutants for inclusion in the community air quality survey that are associated with the exacerbation or causation of asthma and other respiratory diseases, cardiovascular disease, and conditions or diseases affecting vulnerable populations, including, but not limited to, young children, seniors and people with chronic lung or cardiovascular diseases.

e. The commissioner shall promulgate any rules as may be necessary for the purposes of carrying out the provisions of this section.

§ 2. This local law shall take effect one hundred twenty days after its enactment into law, provided that the commissioner of the department of health and mental hygiene 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 Health.

Int. No. 713

By Council Members Johnson, Espinal, Rodriguez, Chin, Gentile, Koo, Richards and Wills.

A Local Law to amend the administrative code of the city of New York, in relation to requiring sight-seeing bus operators to submit operating plans to the department of consumer affairs.

Be it enacted by the Council as follows:

Section 1. Section 20-372 of the administrative code of the city of New York is amended by adding a new subdivision 11 to read as follows:

11. "Operating plan" shall mean the proposed routes, stops, layover locations, and days of the week and hours of operation of a sight-seeing bus fleet, as well as the anticipated number of buses in each fleet that will use each route, stop and layover location during each hour of operation.

§ 2. Section 20-373 of the administrative code of the city of New York is amended by adding new subdivisions e, f and g to read as follows:

e. An applicant for a sight-seeing bus license or the renewal therefor shall submit an operating plan to the commissioner. The commissioner shall forward a copy of such plan to the department of transportation and the community board(s) and council member(s) in whose district(s) the applicant's sight-seeing bus fleet would operate. The department of transportation, and the affected community boards and council members shall review the plan and consider, among other things, the number of sight-seeing buses that operate or would operate on the proposed route(s) on the proposed days and hours, and the plan's overall impact on traffic and public safety.

1. Within sixty days after receiving an operating plan proposal, the department of transportation shall, and the affected community boards and council members may submit comments to the commissioner regarding the plan.

2. Within thirty days of approval of an operating plan the commissioner shall post the approved operating plan to the department website. Such posting shall include the name under which the sight-seeing bus operator does business, and the department issued license number and date of expiration.

3. A copy of the operating plan shall be present on the sight-seeing bus at all times.

f. No sight-seeing bus license or renewal therefor shall be issued unless an operating plan has been approved by the commissioner. If upon the commissioner's review of the operating plan and any comments related to such plan submitted by the department of transportation and the affected community board(s) and council member(s), the commissioner determines that such plan presents a potential adverse impact, the commissioner shall require the applicant to amend such operating plan to negate or minimize the potential adverse impact. If the commissioner requires the applicant to amend an operating plan, the amended plan shall be reviewed and

approved by the commissioner before a sight-seeing bus license or renewal therefor is issued to such applicant.

g. Any owner of a sight-seeing bus who violates the terms of its operating plan approved by the commissioner pursuant to this section shall be fined no less than five hundred dollars and no more than one thousand dollars for each offense. For the purposes of this subdivision all violations of this subdivision committed on the same day shall constitute one offence.

§ 3. This local law shall take effect 120 days after enactment into law provided, however, that the commissioner shall take any actions necessary prior to such effective date for the implementation of this local law including but not limited to, the adopting of any necessary rules.

Referred to the Committee on Consumer Affairs.

Res. No. 615

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Paid Family Leave Act to provide support and security for New York's working families.

By Council Members Lancman, The Speaker (Council Member Mark-Viverito), Ferreras, Cumbo, Arroyo, Chin, Gentile, Gibson, Johnson, Lander, Richards, Rose, Rosenthal and Menchaca.

Whereas, According to the New York State Department of Labor, in December 2014, roughly 3.6 million people worked in the private sector in the New York City region, and more than 500,000 people worked in the public sector, meaning that 56.5 percent of the New York City population over the age of 16 was employed; and

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

Whereas, The federal Family and Medical Leave Act of 1993 ("FMLA") generally covers a person who works for public agencies and for private employers with more than 50 employees if the worker, 1) works in a location with (or near) a certain number of other employees, 2) has worked for his or her employer for more than 12 months, and 3) worked more than 1,250 hours in the prior year; and

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

Whereas, The United States (U.S.) Department of Labor reported in 2013 that, nationwide, only approximately 59 percent of employees are eligible for FMLA leave, leaving almost half of employees uncovered; and

Whereas, According to that U.S. Department of Labor survey study, only about 16 percent of those employees nationwide who even are covered by FMLA took FMLA-qualifying leave in the prior year; and

Whereas, According to that study, between four and five percent of the employees surveyed reported having an unmet need for leave, and 46 percent of employees who needed but did not take leave reported that they could not afford to do so; and

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

Whereas, Most workers must rely on their employers for any paid leave and, according to a 2013 survey study by the U.S. Department of Labor, only approximately 12 percent of employers provide paid leave; and

Whereas, New York State's current Temporary Disability Insurance cash benefits are capped at \$170 per week for eligible employees, an unsustainably low level, and

Whereas, To address the lack of paid family leave and the untenably low Temporary Disability Insurance benefits, S.3004, sponsored by State Senator Joseph Addabbo, Jr., and A.3870, sponsored by Assembly Member Catherine Nolan, which are commonly called the Paid Family Leave Act, are currently pending before the Legislature; and

Whereas, Under that Act, qualifying employees would be eligible to receive two-thirds of their average weekly wage, up to a maximum of 35 percent of the statewide weekly average wage the first year, increasing annually up to a maximum of 50 percent of the statewide weekly average wage in 2019; and

Whereas, This change would raise the Temporary Disability Insurance benefit to a more livable level; and

Whereas, The Act would provide paid family leave insurance, financed by small contributions from employees, to support up to twelve weeks of job-protected paid family leave for qualifying employees; and

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

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

Whereas, Millions of working New Yorkers should not have to lose their income and put their families in financial jeopardy in order to care for their family members; 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, the Paid Family Leave Act to provide support and security for New York's working families.

Referred to the Committee on Civil Service and Labor.

Res. No. 616

Resolution commemorating the 150th anniversary of the death of President Abraham Lincoln on April 15, 2015.

By Council Members Maisel, Chin, Johnson, Richards, Vallone, Wills, Koslowitz, Rosenthal and Ulrich.

Whereas, Abraham Lincoln was elected the 16th President of the United States of America on November 6, 1860; and

Whereas, On the way to Lincoln's election to the United States Presidency, he delivered his famous speech at Cooper Union in New York City arguing against the expansion of slavery into the new western territories being incorporated into the United States, which catapulted him to the national stage; and

Whereas, Abraham Lincoln was a firm supporter of the abolition of slavery in the United States of America; and

Whereas, Within three months of President Lincoln's election for President of the United States, seven southern states seceded from the United States and formed the Confederate States of America (Confederacy); and

Whereas, The American Civil War officially began at Fort Sumter, South Carolina; and

Whereas, By the end of the American Civil War, a total of eleven states had seceded from the United States to form the Confederacy; and

Whereas, On January 1, 1863, President Lincoln issued the Emancipation Proclamation, outlawing the institution of slavery in all of the Confederate states; and

Whereas, On April 9, 1865, General Ulysses S. Grant, who was appointed by President Lincoln, secured the surrender of Confederate General Robert E. Lee, effectively ending the American Civil War; and

Whereas, On April 14, 1865, President Lincoln was shot at Ford's Theater in Washington, District of Columbia (D.C.) by a Confederate sympathizer and actor named John Wilkes Booth; and

Whereas, President Lincoln later died on April 15, 1865; and

Whereas, His body was carried by funeral train from Washington, D.C. to Springfield, Illinois, where he was observed, mourned, and honored by citizens of several cities, including the City of New York; and

Whereas, From April 24, 1865 to April 25, 1865, President Lincoln's casket was presented to City Hall in the City of New York for public viewing and participation in the funeral procession; and

Whereas, President Abraham Lincoln's leadership preserved the Union and ended the institution of slavery in the United States; now therefore be it

Resolved, That the Council of the City of New York commemorates the 150th anniversary of the death of President Abraham Lincoln on April 15, 2015.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 617

Resolution commemorating the 150th anniversary of the end of the American Civil War on April 9, 2015.

By Council Members Maisel, Johnson, Vallone, Wills and Ulrich.

Whereas, The American Civil War is one of the central events in the history of the United States of America; and

Whereas, The American Civil War was fought from 1861 to 1865 to determine the survival of the Union or independence for the Confederacy, which was comprised of eleven Southern states that sought to preserve and expand slavery; and

Whereas, The United States Department of the Interior estimates that more than four million Americans were enslaved at the beginning of the American Civil War; and

Whereas, During the American Civil War, President Abraham Lincoln issued the Emancipation Proclamation which declared that “all persons held as slaves within any States, or designated part of the State, ... shall be then, thenceforward, and forever free,” however, this did not apply to all states, only to those that were not under Union control; and

Whereas, After the end of the American Civil War, the Thirteenth Amendment to the United States Constitution formally abolished slavery throughout the United States; and

Whereas, Estimates indicate that over three million American soldiers were enlisted in the Union and Confederate armies over the course of the American Civil War; and

Whereas, The Lincoln Institute estimates that at least 460,000 residents of New York State were enlisted in the Union army during the American Civil War; and

Whereas, According to the New York State Department of Military and Naval Affairs, residents of the City of New York assembled in Union Square on April 20, 1861 to establish the Union Defense Committee, contributing warships, funding, and at least sixty six regiments to the early war efforts during the American Civil War; and

Whereas, According to the New York State Department of Military and Naval Affairs, the City of New York contributed over thirty six million dollars to the early war efforts during the American Civil War; and

Whereas, More than 620,000 American soldiers were killed as a result of combat, accident, starvation, and disease during the American Civil War; and

Whereas, More American soldiers died during the American Civil War than in any other war in the history of the United States of America; and

Whereas, In response to the destruction and loss of American lives as a result of the American Civil War, organizations such as the Grand Army of the Republic and others throughout the United States of America, including the Grant Monument Association and Oliver Tilden Camp #26 of the Sons of Union Veterans of the Civil

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War in New York City, were established to honor the memory of the deceased and commemorate the war; and

Whereas, There are several American Civil War memorials in numerous communities throughout the City of New York, including Grand Army Plaza overlooking the entrance into Prospect Park in Brooklyn, New York and the General Grant National Memorial, also known as the tomb of President Ulysses S. Grant, Commanding General of the Union Army, which is located in the neighborhood of Morningside Heights in Manhattan, New York; and

Whereas, On April 9, 1865, General Ulysses S. Grant secured the surrender of Confederate General Robert E. Lee, effectively ending the American Civil War; and

Whereas, April 9, 2015 marks the 150th anniversary of the end of the American Civil War, and

Whereas, In remembrance of the American Civil War, President Barack Obama stated in a Presidential Proclamation:

When the terrible and costly struggle was over, a new meaning was conferred on our country's name -- the United States of America. We might be tested, but whatever our fate might be, it would be as one Nation; now therefore be it

Resolved, That the Council of the City of New York commemorates the 150th anniversary of the end of the American Civil War on April 9, 2015.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 618

Resolution calling upon the New York State Legislature to pass legislation requiring the Education Department/Board of Education in cities of one million people or more, where there is a Specialized High School Admission test policy requiring the taking of a ranked order test, to have a test preparation program available for all middle school students whose math and reading scores are level 4.

By Council Members Maisel, Arroyo, Lander, Wills and Menchaca.

Whereas, There are currently nine Specialized High Schools in New York City that serve the needs of academically and artistically gifted students; and

Whereas, These schools are Fiorello H. LaGuardia High School of Music & Art and Performing Arts, Stuyvesant High School, The Bronx High School of Science, Brooklyn Technical High School, The Brooklyn Latin School, High School for Mathematics, Science and Engineering at the City College, High School of American Studies at Lehman College, Queens High School for the Sciences at York College and Staten Island Technical High School; and

Whereas, For eight of these schools, admission is based solely on the score attained on the Specialized High Schools Admissions Test (SHSAT), while for Fiorello H. LaGuardia High School of Music & Art and Performing Arts

(LaGuardia), acceptance is based on an audition and a review of a student's academic records; and

Whereas, A 1971 State law, known as the Hecht-Calandra Act, makes the SHSAT exam the only measure that can be used to admit students to Stuyvesant High School, the Bronx High School of Science and Brooklyn Technical High School; and

Whereas, According to the Department of Education (DOE), all 8th graders and first-time 9th graders who are New York City residents are eligible to take the SHSAT; and

Whereas, The results of the SHSAT are ordered from the highest score to the lowest score, with students offered admission to schools based on their score's rank order as well as their stated school preference; and

Whereas, Approximately 28,000 students took the SHSAT for September 2014 admission; and

Whereas, Of those students who took the SHSAT for September 2014 admission, just over 5,000 or 18%, were offered admission to one of the Specialized High Schools; and

Whereas, Students who participate in a test preparation program for the SHSAT have a definite advantage over students who do not participate in such programs, especially since some SHSAT content is not found in the regular K-12 curriculum; and

Whereas, Private test preparation programs for the SHSAT can be costly; for example, on February 19, 2015 Kaplan, one of the leading private test preparation companies, advertised various SHSAT preparation programs from \$899 to \$2,899; and

Whereas, In 2012, the DOE created the DREAM - Specialized High School Institute (SHSI), a 22-month extracurricular tutoring program designed to help eligible economically disadvantaged students prepare for the SHSAT; and

Whereas, To be eligible for the DREAM-SHSI program, a student must be economically disadvantaged as defined by whether they are eligible for free lunch, have a minimum attendance rate of 90% during grade 5, and score above a certain level on the 5th grade New York State English language arts (ELA) and math exams; and

Whereas, If the number of eligible applicants exceeds the number of available seats, DREAM-SHSI participants are randomly selected from the pool of eligible candidates; and

Whereas, According to DOE, since its inception in 2012, 847 students who have participated in DREAM-SHSI have received an offer at one of the Specialized High Schools, a success rate of 46%; and

Whereas, However, the number of available seats in DREAM-SHSI is small and decreasing due to funding constraints, with only 450 slots funded this year even though more than 6,000 students qualified; and

Whereas, All middle school students who score at level 4, the highest achievable level, on the New York State ELA and math exams, should have an equal opportunity to receive tutoring and preparation for the SHSAT; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass legislation requiring the Education Department/Board of Education in cities of one million people or more, where there is a Specialized High School Admission test policy requiring the taking of a ranked order test, to have a test preparation program available for all middle school students whose math and reading scores are level 4.

Referred to the Committee on Education.

Preconsidered Res. No. 619

Resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that would end deregulation of rent regulated apartments.

By Council Members Menchaca, Williams, Chin, Gibson, Kallos, Lander, Levin, Levine, Rodriguez and Rose.

Whereas, The 2014 Housing and Vacancy Survey (HVS), conducted by the Department of Housing Preservation and Development (HPD), indicated that there are currently 1,030,000 rent stabilized units and 27,000 rent controlled units in New York City; and

Whereas, Roughly 30% of New York City renters are severely rent burdened and pay more than 50% of their household income in rent; and

Whereas, According to the 2014 HVS the median annual income for renter households did not significantly change between 2010 and 2013, but the median monthly gross rent rose by 4.3% between 2011 and 2014; and

Whereas, Under the rent regulation system, rent increases annually or biannually, and once the rent hits \$2,500 a month, and the tenant vacates the unit, or the tenant is found to have an income above \$200,000 two years in a row, the unit may be deregulated; and

Whereas, When a tenant leaves a rent stabilized unit, and when a tenant in a rent controlled units leaves and is replaced by a lawful successor, the owner may legally raise the rent by up to 20%; and

Whereas, Rents may also be increased in rent regulated units when owners make major capital improvements or individual apartment improvements; and

Whereas, Once an apartment is deregulated owners can evict tenants at the end of their lease without restriction and increase the rent at will, resulting in the City losing another unit of affordable housing; and

Whereas, According to the 2014 HVS, New York City is currently in the middle of an affordable housing crisis; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign legislation that would end deregulation of rent regulated apartments.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Preconsidered Res. No. 620

Resolution calling upon the New York State Legislature to pass and the Governor to sign A. 344 in relation to Mitchell-Lama and Project-Based Section 8 developments.

By Council Members Mendez, Williams, Chin, Gibson, Kallos, Lander, Levin, Levine, Rodriguez and Rose.

Whereas, The New York State Legislature created the Mitchell-Lama Housing Program in 1955 to provide affordable housing for moderate and middle income households; and

Whereas, The federal government created Project Based Section 8 in 1974, administered by the United States Department of Housing and Urban Development (HUD), to provide affordable housing for low income households; and

Whereas, After 20 years of participation in the Mitchell-Lama Housing Program, property owners can pay off or conventionally refinance their mortgages and leave the program; and

Whereas, After 20 years of participation in the Project Based Section 8 program, property owners can elect not to renew their contract with HUD and leave the program; and

Whereas, Except for buildings receiving public subsidies that have restrictions for affordable housing, buildings that were first occupied on or after January 1, 1974, are not subject to rent and eviction protections offered by Emergency Tenant Protection Act; and

Whereas, Mitchell-Lama and Project Based Section 8 developments first occupied on or after January 1, 1974, could opt-out of such programs in the future, which could allow property owners to increase the rents to unaffordable levels for most of their residents; and

Whereas, According to the 2014 Housing and Vacancy Survey, New York City is currently in an affordable housing crisis and has a housing vacancy rate of 3.45 percent; and

Whereas, The low vacancy rate will make it difficult for Mitchell-Lama and Project Based Section 8 tenants to find comparable units if they must relocate; and

Whereas, A.344, currently pending in the New York State Legislature, sponsored by Assembly Member Rosenthal, amends the Emergency Tenant Protection Act of 1974 by allowing the City to expand rent regulation to housing accommodations that cease or have ceased to be Mitchell's Lamas or to receive project-based section 8 rental assistance; now, therefore, be it

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Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign A. 344 in relation to Mitchell-Lama and Project-based Section 8 developments.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 714

By the Public Advocate (Ms. James) and Council Members Gentile, Gibson, Koo, Rose and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to exempting or partially exempting seniors and certain persons with disabilities from penalties for failing to remove snow or ice from sidewalks, crosswalks, curbs and other locations.

Be it enacted by the Council as follows:

Section 1. Subdivision h of section 16-123 of the administrative code of the city of New York, as amended by local law number 1 for the year 2003, is amended to read as follows:

h. Any person violating the provisions of subdivisions [(a)] *a* or [(b)] *b* of this section shall be liable and responsible for a civil penalty of not less than ten dollars nor more than one hundred fifty dollars for the first violation, except that for a second violation of subdivision [(a)] *a* or [(b)] *b* within any twelve-month period such person shall be liable for a civil penalty of not less than one hundred fifty dollars nor more than two hundred fifty dollars and for a third or subsequent violation of subdivision [(a)] *a* or [(b)] *b* within any twelve-month period such person shall be liable for a civil penalty of not less than two hundred fifty dollars nor more than three hundred fifty dollars; *provided that where such person can establish to the satisfaction of the environmental control board or court, as applicable, that (1) they are at least sixty-five years old or have a disability that substantially interferes with their ability to comply with subdivision a of this section, and (2) the building or lot for which the notice of violation was issued is their primary residence, the minimum and maximum civil penalties set forth in this subdivision shall be mitigated by fifty percent.*

§ 2. Chapter 1 of title 16 of the administrative code of the city of New York is amended to add a new section 16-124.2 to read as follows:

§ 16-124.2 Program for assisting seniors and certain persons with disabilities with snow removal. No later than November 1, 2015, the commissioner shall establish a program, which may include contracting with not-for-profit organizations, for the removal of snow or ice from crosswalks, curb cuts, bus stops and other city property, and from sidewalks and gutters abutting residential buildings where the owner, lessee, tenant, occupant, or other person having charge of such building or lot is sixty-five years or older, or has a disability that

substantially interferes with such person's ability to comply with subdivision a of section 16-123, as such disability is defined by rules that the department shall promulgate in conjunction with the department of health and mental hygiene and the mayor's office for people with disabilities, and registers with the department. The procedure for registering for such program shall be developed by the department in conjunction with the department for the aging, the department of health and mental hygiene and the mayor's office for people with disabilities. Where snow is removed from curb cuts pursuant to such program, such removal shall provide for a cleared path of at least forty inches in width to accommodate safe access, by wheel chair or other mobility device, between streets and sidewalks.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Res. No. 621

Resolution calling upon the Metropolitan Transportation Authority to install rear wheel guards on its buses.

By Council Members Reynoso, Chin, Koo, Lander and Rose.

Whereas, In 2014, 132 pedestrians and 20 bicyclists were killed in traffic collisions in New York City; and

Whereas, The City continues to implement its Vision Zero initiative, which, through improved street design, education, enforcement, and legislative changes, aims to eliminate traffic fatalities in New York City; and

Whereas, At least eight pedestrians were struck and killed by Metropolitan Transportation Authority (MTA) buses in 2014; and

Whereas, At least three victims were run over by the rear wheel of a bus; and

Whereas, Buses in several other cities, including Chicago, Los Angeles, Baltimore, and Washington, D.C., are equipped with rear wheel guards designed to prevent people from being crushed by the rear wheels; and

Whereas, After experiencing an average of two fatalities per year involving bus rear tires, the Washington Metropolitan Area Transit Authority reported no rear wheel-related fatalities in the six years after installing rear wheel guards on its buses; and

Whereas, Given the demonstrated potential of bus rear wheel guards to save lives, the MTA should install them on its buses; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to install rear wheel guards on its buses.

Referred to the Committee on Transportation.

Preconsidered Res. No. 622

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.951, which repeals provisions of the Emergency Tenant Protection Act of 1974 that allow a 20 percent rent increase bonus after the vacancy of a tenant in a rent stabilized unit.

By Council Members Reynoso, Williams, Gibson, Lander, Levin, Levine and Rodriguez.

Whereas, According to the 2014 New York City Housing and Vacancy Survey, New York City is currently in an affordable housing crisis and has a housing vacancy rate of 3.45 percent; and

Whereas, The largest affordable housing program in New York City is Rent Stabilization, which protects tenants from harassment and unreasonable rent increases or evictions in privately owned buildings; and

Whereas, New York City has over 1 million rent stabilized apartments which represents almost half of the City's rental housing stock; and

Whereas, New York State Homes and Community Renewal (HCR) is the state agency responsible for administering rent stabilization; and

Whereas, A stabilized unit can be removed from rent stabilization when the rent reaches \$2,500 per month upon vacancy or when the household income exceeds \$200,000 for two consecutive years; and

Whereas, A property owner can increase the rent of a rent stabilized unit by 20 percent each time such unit becomes vacant (The "Vacancy Bonus"); and

Whereas, A property owner is eligible for an increase if the tenant leaves an apartment that is uninhabitable due to lack of heat, hot water, electricity, repairs or sanitary conditions; and

Whereas, The vacancy bonus has resulted in removal of apartments from the rent stabilization system; and

Whereas, S.951, pending at the New York State Legislature, sponsored by State Senator Serrano, would repeal the Vacancy Bonus provisions of the Emergency Tenant Protection Act of 1974; and

Whereas, Enacting this law will help preserve affordable housing for low and middle income families in New York City; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to sign S.951, which repeals provisions of the Emergency Tenant Protection Act of 1974 that allow a 20 percent rent increase bonus after the vacancy of a tenant in a rent stabilized unit.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 715

By Council Members Rodriguez and Koo.

A Local Law in relation to requiring the mayor to develop a plan for mapping all existing underground infrastructure.

Be it enacted by the Council as follows:

Section 1. By no later than March 31, 2016, the mayor shall prepare and file with the council, and make publicly available online, a plan for surveying and mapping all underground infrastructure in the city of New York, including but not limited to underground pipes, tunnels, tubes and wires. Such plan shall also include recommendations for allowing public and private entities to access and submit recommended changes to the map.

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

Referred to the Committee on Housing and Buildings.

Int. No. 716

By Council Members Rodriguez and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to establishing civil penalties for theft of a bicycle or motor vehicle.

Be it enacted by the Council as follows:

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

§ 19-192 *Civil penalties for theft of bicycles and motor vehicles. a. Definitions.*

1. "Bicycle" shall have the same meaning as in section 19-176 of this code.

2. "Motor vehicle" shall have the same meaning as in section one hundred twenty five of the vehicle and traffic law;

b. Any individual convicted of the theft of a bicycle or motor vehicle under one or more of the following sections of the penal law: 155.25, 155.30, 155.35, 155.40, 155.42, 165.05, 165.06 or 165.08 shall be liable for a civil penalty, recoverable at the environmental control board, of not less than five hundred dollars nor more than one thousand dollars for each bicycle wrongfully taken, obtained or withheld, and of not less than five thousand dollars nor more than seven thousand five hundred dollars for each motor vehicle wrongfully taken, obtained, or withheld. Such civil penalty shall be in addition to or as an alternative to any criminal penalties authorized by law and shall not limit or preclude any cause of action available to any person or entity aggrieved by any of the acts applicable to this section.

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

Referred to the Committee on Transportation.

Int. No. 717

By Council Members Rosenthal, Richards, Chin, Constantinides, Levine, Palma, Cornegy, Reynoso and Koslowitz.

A Local Law to amend the administrative code of the city of New York, in relation to online submission of video of idling infractions and rewards therefor.

Be it enacted by the Council as follows:

Section 1. The row in the table of civil penalties following subparagraph (i) of paragraph 5 of subdivision (b) of section 24-178 of the administrative code of the city of New York that begins 24-163 is amended to read as follows:

24-163; provided that a minimum penalty of [\$330 and a maximum penalty of \$1,500 shall apply to a second violation of such section by the same respondent within a period of two years and a minimum penalty of] \$440 and a maximum penalty of \$2,000 shall apply to a third or subsequent violation of such section within a period of two years	[\$1,000] <i>\$1,500</i>	[\$220] <i>\$350</i>
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§ 2. Section 24-182 of the administrative code of the city of New York is amended to read as follows:

§ 24-182. Citizen's complaint. (a) Any person, other than personnel of the department and employees of the city of New York authorized by law to serve summonses for violations of the code, may serve upon the department a complaint, in a form prescribed by the department, alleging that a person has violated any provision of this code or order or regulation promulgated by the commissioner or the board, except with respect to sections 24-143, 24-150 and 24-163 of this code[, but still applicable to buses as defined in section one hundred four of the vehicle and traffic law and trucks as defined in section one hundred fifty eight of the vehicle and traffic law,] together with evidence of such violation. With respect to section 24-142 of this code, only such person who has been certified as a smoke watcher, by passing a course of smoke observation approved by the department within three years prior to the observation, may serve such complaint.

(b) *Any person, other than personnel of the department and employees of the city of New York authorized by law to serve summonses for violations of the code, may submit to the department through the department's website a complaint, as*

prescribed by the department, alleging that a person has violated subdivision (a) or (f) of section 24-163, along with digital video evidence of such alleged violation. The department shall be responsible for ensuring that such submission is possible through its website.

(c) A person who has served a complaint pursuant to subdivision (a) of this section may serve upon the person allegedly in violation, and upon the board, a notice of violation in a form prescribed by the board within forty-five days from service of such complaint if;

(1) The department has failed to serve a notice of violation, pursuant to section 24-180 of this code, for the violation alleged in a complaint pursuant to subdivision (a) of this section; or

(2) The department fails to serve a written notice upon the complainant of its determination that his or her complaint is frivolous or duplicitous.

[c] (d) A person commencing a proceeding pursuant to this section shall prosecute such proceeding at his or her own expense. The department may intervene in such a proceeding at any time.

[(d)] (e) In any proceeding brought by the department after receiving a complaint, pursuant to subdivision (a) of this section, pertaining to a violation of this code or any regulation or order promulgated by the commissioner or the board, wherein the source of the violation is a manufacturing or industrial facility or a facility for the generation of steam for off-premises sale or electricity or equipment used by any such facility, *or in any proceeding brought by the department after receiving a complaint pursuant to subdivision (b) of this section pertaining to a violation of section 24-163 or any regulation or order promulgated thereunder by the commissioner or the board, regardless of the source of the violation*, the board shall award the complainant, out of the proceeds collected, an amount which shall not exceed twenty-five percent of such proceeds *for a complaint made pursuant to subdivision (a), and an amount which shall not exceed fifty percent of such proceeds for a complaint made pursuant to subdivision (b)*, for disclosure of information or evidence, not in the possession of the department prior to the receipt of the complaint by the department, which leads to the imposition of the civil penalty.

[(e)] (f) In any proceeding brought by a complainant pursuant to subdivision (a) of this section, the board shall award, out of the proceeds collected, fifty percent of any civil penalty as fair and reasonable compensation to such person.

(g) *The department shall provide a public training session no fewer than five days per year for the purpose of training interested individuals about the requirements for submitting a successful complaint pursuant to subdivision (b) of this section.*

§ 3. This local law shall take effect 180 days after its enactment, provided, however, that the department shall take such actions prior to such time as are necessary for timely implementation of this local law.

Referred to the Committee on Environmental Protection.

Preconsidered Res. No. 623

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.398, which will provide rent control tenants relief from high rent increases.

By Council Members Rosenthal and Williams.

Whereas, New York State Homes and Community Renewal (HCR) administers the State's rent regulation programs, rent control and rent stabilization, that limit rent increases and provide tenants with eviction protection in privately owned buildings; and

Whereas, The 2014 Housing and Vacancy Survey indicates that there are 27,000 rent-controlled units in New York City; and

Whereas, In New York City, the Rent Guidelines Board (RGB) establishes a Maximum Base Rent (MBR) for each rent controlled apartment; and

Whereas, Every two years, the MBR is updated to reflect changes to the costs of operating a building; and

Whereas, An owner may increase the maximum collectable rent as high as 7.5 percent each year until the rent reaches the MBR; and

Whereas, A.398, pending before the New York State Legislature and sponsored by Assembly Member Rosenthal, would require HCR to cap the rent percentage increase an owner may charge a tenant in a rent-controlled apartment at the lesser of 7.5 percent or an average of the previous five years of one-year rent increases as established by the New York City Rent Guidelines Board; and

Whereas, RGB conducts an annual study that includes the most recent statistics on tenant income, economic trends, owner revenue, owner costs, and other changes in the housing supply to determine rent increases; and

Whereas, The factors used by RGB to determine rent increases is more comprehensive than the factors used to determine the Maximum Base Rent; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York State Legislature to pass and the Governor to sign A.398, which will provide rent control tenants relief from high rent increases.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Int. No. 718

By Council Members Torres, Chin and Rosenthal.

A Local Law to amend the administrative code of the city of New York, in relation to the duration of inspection fees for certain recurring violations of the housing maintenance code.

Be it enacted by the Council as follows:

Section 1. Subparagraph i of paragraph 8 of subdivision f of section 27-2115 of the administrative code of the city of New York, as added by local law 65 for the year 2014, is amended to read as follows:

(i) Notwithstanding any other provision of law, where (A) the department has performed two or more complaint-based inspections in the same dwelling unit within a twelve-month period, (B) each such inspection has resulted in the issuance of a hazardous or immediately hazardous violation *in such dwelling unit*, and (C) not all such violations have been certified as corrected pursuant to this section, the department may impose an inspection fee of two hundred dollars for the third and for each subsequent complaint-based inspection that it performs in such dwelling unit [within the same twelve-month period] that results in the issuance of a hazardous or immediately hazardous violation *in such dwelling unit until a twelve-month period elapses in which there are no complaint-based inspections of such dwelling unit that result in the issuance of a hazardous or immediately hazardous violation in such dwelling unit*, provided that the department may by rule increase the fee for inspections performed during the period of October first through May thirty-first. Such inspection fee shall be in addition to any civil penalties that may be due and payable.

§2. Notwithstanding section 3 of local law number 65 for the year 2014, such local law shall take effect on the same date that this local law takes effect, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

§3. This local law shall take effect 120 days after its enactment into law, except that the commissioner of housing preservation and development 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 Housing and Buildings.

Int. No. 719

By Council Members Torres, Reynoso, Richards, Espinal, Menchaca, Chin, Constantinides, Gibson, Koo and Rosenthal.

A Local Law to amend the New York city charter, in relation to requiring the Department of Education to report the school-by-school ratio of school safety officers to guidance counselors.

Be it enacted by the Council as follows:

Section 1. Chapter 20 of the New York city charter is amended by adding a new section 530-g to read as follows:

§ 530-g *Report of school safety officers to guidance counselors ratio.* a. *For the purposes of this section, the following terms shall have the following meanings:*

1. *"Department" shall mean the New York city department of education.*

2. *"Public school" shall mean any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from kindergarten through grade twelve.*

3. *"Guidance counselor" shall mean a professional, certified by the New York state education department as a school counselor and licensed by the New York city department of education as a guidance counselor.*

b. *The department shall compile information on the ratio of school safety officers to guidance counselors in each of the public schools within the department's jurisdiction.*

c. *On or before July 1, 2015, and annually thereafter, the department shall provide a report to the council and post on the department's website the information compiled pursuant to subdivision b of this section for the prior calendar year or portion thereof.*

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

Referred to the Committee on Education.

Res. No. 624

Resolution calling upon the Mayor to apply for the enrollment of New York City in the Federal Emergency Management Agency's Community Rating System.

By Council Members Ulrich, Richards, Treyger, Chin, Arroyo, Gentile, Rose, Maisel, Cabrera, Levin and King.

Whereas, Superstorm Sandy hit New York on October 29, 2012, affecting neighborhoods citywide; and

Whereas, During Superstorm Sandy, the Brooklyn-Queens Waterfront, Southern Queens, Southern Brooklyn, Southern Manhattan, and the East and South Shores of Staten Island were exposed to waves, storm surge and widespread inundation; and

Whereas, These inundated areas of the city contained nearly 88,700 buildings, 23,400 businesses and more than 300,000 housing units which were home to approximately 686,000 New Yorkers; and

Whereas, Building damage in these areas of the city was extensive and in many cases devastating; and

Whereas, Superstorm Sandy highlighted New York City's vulnerability to flooding and the importance of flood insurance; and

Whereas, In 1968, the federal government established the National Flood Insurance Program (NFIP), because it had been difficult historically for homeowners to obtain flood insurance from private insurers; and

Whereas, Most flood insurance policies that are purchased by homeowners and businesses in New York City are purchased through the NFIP, which is administered by the Federal Emergency Management Agency (FEMA); and

Whereas, For decades, the owners of buildings that are located within the 100-year floodplain and that have a federally-backed mortgage or have received federal disaster aid have been required to purchase such flood insurance; and

Whereas, Two recent changes in federal government policy, both of which were planned before Superstorm Sandy hit, will increase the number of New Yorkers who are required to purchase flood insurance and will cause increases in flood insurance premiums going forward; and

Whereas, The first of these changes, the Biggert-Waters Flood Insurance Reform Act of 2012, eliminates NFIP policyholder subsidies and grandfathering, which previously kept flood insurance premiums below actuarial rates; and

Whereas, The second change is an update of the FEMA maps, called the Flood Insurance Rate Maps (FIRMs), that define the 100-year floodplain in New York City; and

Whereas, The updated FIRMs are expected to be finalized in 2015, and a preliminary version that was released in 2013 re-defines New York City's 100-year floodplain such that it includes a significantly greater number of buildings; and

Whereas, As a result of these policy changes, the number of buildings located in New York City's 100-year floodplain is expected to increase to 71,500, and the number of New Yorkers required to purchase flood insurance will increase correspondingly; and

Whereas, Additionally, as a consequence of these federal policy changes, New Yorkers who are required to purchase flood insurance will face escalating and, in some cases, extremely high flood insurance premiums; and

Whereas, The NFIP's Community Rating System (CRS) is a voluntary program, wherein municipalities that enroll in the program can reduce flood insurance premiums by implementing advanced floodplain management measures; and

Whereas, A municipality that enrolls in the CRS can reduce flood insurance premiums in 5% increments, up to 45%, by completing certain creditable activities relating to disseminating public information about flood risks, increasing flood preparedness, adopting more stringent flood zone maps and promulgating regulations to better protect buildings and other infrastructure from flood damage reduction; and

Whereas, The majority of municipalities that successfully participate in the CRS realize a flood insurance premium discount of between 5% and 20%; and

Whereas, The chief executive officer of a municipality can apply to enroll such municipality in the CRS by sending a formal letter of intent to FEMA and requesting inclusion in the program; now, therefore, be it

March 11, 2015

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Resolved, That the Council of the City of New York calls upon the Mayor to apply for the enrollment of New York City in the Federal Emergency Management Agency's Community Rating System.

Referred to the Committee on Recovery and Resiliency.

Int. No. 720

By Council Members Vacca, Constantinides and Koo.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a website for new and expecting parents.

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 12 to read as follows:

CHAPTER 12

WEBSITE FOR EXPECTING AND NEW PARENTS

§ 8-1201 Website for expecting and new parents. a. The agency shall maintain a website for expecting and new parents that shall contain rules and laws applicable to them or links to such laws and rules. Such website shall also contain links to other city websites that have information regarding the following:

- 1. Federal, state and local laws regarding pregnancy discrimination and accommodation;*
- 2. Federal, state and local rules or regulations regarding pregnancy discrimination and accommodation;*
- 3. Federal, state and local laws regarding adoption discrimination;*
- 4. Federal, state and local laws regarding the right to breastfeed at work;*
- 5. The federal family and medical leave act;*
- 6. The New York city earned sick time act;*
- 7. Temporary disability insurance for pregnancy and childbirth;*
- 8. City government resources available regarding childcare; and*
- 9. Where to find referrals to attorneys who specialize in discrimination issues and to free legal representation;*
- 10. Any other information that the agency determines would benefit new or expecting parents.*

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

Referred to the Committee on Civil Rights.

Int. No. 721

By Council Members Williams, Arroyo and Rose.

A Local Law to amend the New York city charter, in relation to green building standards for certain capital projects.

Be it enacted by the Council as follows:

Section 1. Section 224.1 of the New York city charter is amended to read as follows:

§ 224.1 Green building standards. a. As used in this section the following terms shall have the following meanings:

(1) The term “capital project” shall mean a capital project as defined in section 210 of this chapter that is paid for in whole or in part from the city treasury.

(2) The term “city agency” shall mean a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid, in whole or in part, from the city treasury.

(3) The term “construction work” shall mean any work or operations necessary or incidental to the erection, demolition, assembling, alteration, installing, or equipping of any building.

(4) The term “green building standards” shall mean design guidelines, a rating system or rules for constructing buildings that ensure site planning, water efficiency, energy efficiency and renewable energy, conservation of materials and resources and indoor environmental quality.

(5) The term “inflation” shall mean the annual twelve (12) month average of the consumer price index published by the United States department of labor.

(6) The term “LEED energy and atmosphere: *optimize energy performance credit [1]*” shall mean the credit to achieve [point] *points* under LEED for New Construction version [2.1] 4 intended to achieve increased energy performance.

(7) The term “LEED green building rating system” shall mean a version of the Leadership in Energy and Environmental Design (LEED) building rating system published by the [United States] *U.S. Green Building Council*, not less stringent than the selected green building rating system, including a standard developed by or for the city consisting of practices and technologies derived from the LEED rating system that are reasonable and appropriate for building in New York city.

(8) The term “LEED water efficiency *indoor water use reduction credit [3.2]*” shall mean the credit [point] *to achieve points* under the LEED for New Construction version [2.1] 4 intended to achieve water use reduction.

(9) The term “not less stringent” shall mean providing no less net environmental and health benefits.

(10) The term “rehabilitation work” shall mean any restoration, replacement or repair of any materials, systems and/or components.

(11) The term “selected green building rating system” shall mean the current and most appropriate building rating system published by the [United States] *U.S. Green Building Council*; provided, however, at the mayor’s discretion, the term “selected green building rating system” shall mean Building Design and [New] Construction version [2.1] 4, [Existing Buildings] *Building Operations and Maintenance* version [2] 4 or [Commercial Interiors] *Interior Design and Construction* version [2] 4, whichever is most appropriate for the project under [United States] *U.S. Green Building Council* guidelines.

(12) The term “substantial reconstruction” shall mean a capital project in which the scope of work includes rehabilitation work in at least two of the three major systems, electrical, HVAC (heating, ventilating and air conditioning) and plumbing, of a building and construction work affects at least fifty percent (50%) of the building’s floor area.

b. (1) Each capital project with an estimated construction cost of two million dollars (\$2,000,000) or more involving (i) the construction of a new building, (ii) an addition to an existing building, or (iii) the substantial reconstruction of an existing building shall be designed and constructed to comply with green building standards not less stringent [that] *than* the standards prescribed for buildings designed in accordance with the LEED green building rating system to achieve a LEED [silver] *gold* or higher rating, or, with respect to buildings classified in occupancy groups [G or H-2] *E, I-1, I-2, or I-4*, to achieve a LEED [certified] *silver* or higher rating. If the mayor elects to utilize green building standards other than the LEED green building rating system, the mayor shall publish findings demonstrating that such other green building standards are not less stringent than the LEED standards described above for achievement of a LEED [silver]*gold* or, if applicable, a LEED [certified] *silver* rating. The green building standards utilized by the city in accordance with this section shall be reviewed and updated, as necessary, by the mayor no less often than once every three years.

(2) In addition, if the estimated construction cost of a project required to comply with green building standards in accordance with paragraph one of this subdivision is 12 million dollars (\$12,000,000) or more such project shall be designed and constructed to reduce energy cost as follows:

(i) Capital projects, other than buildings classified in occupancy group [G] *E*, with an estimated construction cost of 12 million dollars (\$12,000,000) or more but less than 30 million dollars (\$30,000,000) shall be designed and constructed to reduce energy cost by a minimum of twenty percent (20%), as determined by the methodology prescribed in LEED energy and atmosphere: *optimize energy performance* credit [1] or the New York state energy conservation code, whichever is more stringent. In addition to such twenty percent (20%) reduction in energy cost, the design agency shall make investments in energy efficiency that reduce energy cost by an additional five percent (5%) if it finds that the payback on such investment through savings in energy cost would not exceed seven years.

(ii) Capital projects, other than buildings classified in occupancy group [G] *E*, with an estimated construction cost of 30 million dollars (\$30,000,000) or more shall be designed and constructed to reduce energy cost by a minimum of twenty-five percent (25%), as determined by the methodology prescribed in LEED energy and

atmosphere: *optimize energy performance* credit [1] or the New York state energy conservation code, whichever is more stringent. In addition to such twenty-five percent (25%) reduction in energy cost, the design agency shall make investments in energy efficiency that reduce energy cost by an additional five percent (5%) if it finds that the payback on such investment through savings in energy cost would not exceed seven years.

(iii) Capital projects involving buildings classified in occupancy group [G] *E* with an estimated construction cost of 12 million dollars (\$12,000,000) or more shall be designed and constructed to reduce energy cost by a minimum of twenty percent (20%), as determined by the methodology prescribed in LEED energy and atmosphere: *optimize energy performance* credit [1] or the New York state energy conservation code, whichever is more stringent. In addition to such twenty percent (20%) reduction in energy cost, the design agency shall make investments in energy efficiency that reduce energy cost by an additional five percent (5%) if it finds that the payback on such investment through savings in energy cost would not exceed seven years or, in the alternative, the design agency shall make investments in energy efficiency that reduce energy cost by an additional ten percent (10%) if it finds that the payback on such investment through savings in energy cost would not exceed seven years.

c. Capital projects, other than those required to comply with green building standards in accordance with subdivision b of this section, shall be subject to the following:

(1) Each capital project that includes the installation or replacement of a boiler at an estimated construction cost for such installation or replacement of two million dollars (\$2,000,000) or more, or that involves the installation or replacement of lighting systems in a building at an estimated construction cost for such installation or replacement of one million dollars (\$1,000,000) or more, shall be designed and constructed to reduce energy cost by a minimum of ten percent (10%), as determined by the methodology prescribed in LEED energy and atmosphere: *optimize energy performance credit* [1] or the New York state energy conservation code, whichever is more stringent.

(2) Each capital project, other than a project required to comply with paragraph one of this subdivision, that involves the installation or replacement of HVAC comfort controls at an estimated construction cost for such installation or replacement of two million dollars (\$2,000,000) or more, shall be designed and constructed to reduce energy cost by a minimum of five percent (5%) as determined by the methodology prescribed in LEED energy and atmosphere: *optimize energy performance credit* [1] or the New York state energy conservation code, whichever is more stringent.

d. In addition to complying with any other applicable subdivision in this section, each capital project involving the installation or replacement of plumbing systems that includes the installation or replacement of plumbing fixtures at an estimated construction cost for such installation or replacement of plumbing systems of five hundred thousand dollars (\$500,000) or more shall be designed and constructed to reduce potable water consumption in the aggregate by a minimum of thirty percent (30%), as determined by a methodology not less stringent than that prescribed in

LEED water efficiency: *indoor water use reduction* credit [3.2]; provided, however, that such percentage shall be reduced to a minimum of 20% if the department of buildings rejects an application for the use of waterless urinals for the project.

e. [This section shall apply only to capital projects involving buildings classified in occupancy groups B-1, B-2, C, E, F-1a, F-1b, F-3, F-4, G, H-1 and H-2.] *In addition to complying with any other applicable subdivision in this section, each capital project requiring modification to the site connection to the sewer system or impact to 50% or more of the non-building site area must reduce stormwater runoff volume by a methodology not less stringent than that prescribed in LEED rainwater management credit.*

f. The mayor may exempt from each provision of this section [capitol] *capital* projects accounting for up to 20% of the capital dollars in each fiscal year subject to such provision if in his or her sole judgment such exemption is necessary in the public interest. At the conclusion of each fiscal year the mayor shall report to the council the exemptions granted pursuant to this section.

g. This section shall not apply to capital projects of entities that are not city agencies unless fifty percent (50%) or more of the estimated cost of such project is to be paid for out of the city treasury. This exemption shall not apply to any capital project that receives ten million dollars (\$10,000,000) or more out of the city treasury.

h. This section shall not apply to capital projects that have received capital dollars from the city treasury before January 1, 2007.

i. The mayor shall promulgate rules to carry out the provisions of this section.

j. The costs listed in subdivisions b, c, d and g of this section shall be indexed to inflation.

k. Capital projects accounting for at least fifty percent (50%) of the capital dollars in each fiscal year allocated for each city agency that are subject to paragraph one of subdivision b of this section that utilize a version of the LEED green building rating system for which the [United States] *U.S.* Green Building Council will accept applications for certification, shall apply to the [United States] *U.S.* Green Building Council for certification that such projects have achieved a [silver] *gold* or higher rating under the LEED green building rating system or, with respect to projects involving buildings classified in occupancy groups [G or H-2] *E, I-1, I-2, or I-4*, a [certified] *silver* or higher rating under such rating system.

§2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 722

By Council Members Williams, Levine, Arroyo, Rose and Rosenthal (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to minimum temperatures required to be maintained in dwellings.

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2029 of the administrative code of the city of New York is amended to read as follows:

a. During the period from October first through May thirty-first, centrally-supplied heat, in any dwelling in which such heat is required to be provided, shall be furnished so as to maintain, in every portion of such dwelling used or occupied for living purposes:

(1) between the hours of six a. m. and ten p. m., a temperature of at least [sixty-eight] 72 degrees Fahrenheit whenever the outside temperature falls below [fifty-five] 58 degrees; and

(2) between the hours of ten p. m. and six a. m., a temperature of at least [fifty-five] 65 degrees Fahrenheit whenever the outside temperature falls below [forty] 49 degrees.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Housing and Buildings.

Preconsidered Res. No. 625

Resolution calling upon the New York State Legislature to pass and the Governor to sign S.2830, legislation amending the administrative code of the city of New York, the Emergency Tenant Protection Act of 1974 and the Emergency Housing Rent Control Law, in relation to making the Major Capital Improvement (MCI) rent increase a temporary surcharge.

By Council Members Williams, Arroyo, Gibson, Lander, Levin, Levine and Rodriguez.

Whereas, According to the 2014 Housing and Vacancy Survey, New York City is currently in an affordable housing crisis and has a vacancy rate of 3.45 percent; and

Whereas, Unless there is a way for building owners to recoup costs, affordable housing units may fall into disrepair; and

Whereas, The MCI rent increase system allows owners of rent-regulated units to apply to New York State Homes and Community Renewal (HCR) for a building-wide rent increase based on a building-wide improvement; and

Whereas, The rent increase for each unit is determined by dividing the cost of the MCI by 84 months (so that the cost is recouped over 7 years), dividing that number by the number of rooms in the building and then multiplying that number by the number of units in each individual unit; and

Whereas, MCI rent increases remain part of the base rent, even after the costs of the MCI have been fully recovered; and

Whereas, Rent increases approved because of MCIs may substantially increase the monthly rent for rent stabilized units; and

Whereas, Once the rent in rent stabilized units reaches \$2,500, the unit may be deregulated upon vacancy or upon tenant incomes reaching \$200,000 two years in a row; and

Whereas, Making MCIs a temporary surcharge would allow owners to recoup the cost of building-wide improvements, without contributing to deregulation; and

Whereas, S.2830, currently pending in the New York State Legislature, sponsored by Senator Krueger, would establish a methodology for determining MCI rent surcharges based on a seven-year timeline, require that the surcharge be based on the number of rooms in the building and in the apartment, and require that this surcharge cease once the cost of the MCI has been recovered; 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 S.2830, legislation amending the Administrative Code of the City of New York, the Emergency Tenant Protection Act of 1974 and the Emergency Housing Rent Control Law in relation to making the Major Capital Improvement (MCI) rent increase a temporary surcharge.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Housing and Buildings).

Preconsidered L.U. No. 186

By Council Members Ferreras:

**Schervier Apartments, Block 5750, Lot 500, Bronx, Community District No.8,
Council District No. 11.**

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

Preconsidered L.U. No. 187

By Council Members Ferreras:

**Tweemill House, Block 1775, Lot 20, Manhattan, Community District No.11,
Council District No. 9.**

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

L.U. No. 188

By Council Member Greenfield:

Application No. C 120403 ZMQ submitted by the CG & J Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, changing an existing R6 and C2-2 District to a C4-3 District, in the area of Northern Boulevard and Leavitt Street, Borough of Queens, Community Board 7, Council District 20.

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

L.U. No. 189

By Council Member Greenfield:

Application No. C 140407 ZRM submitted by 1818 Nadlan LLC pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, concerning Article IX, Chapter 6 (Special Clinton District), Borough of Manhattan, Community Board 4, Council District 3.

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

L.U. No. 190

By Council Member Greenfield:

Application No. C 140408 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681 of the Zoning Resolution to allow a portion of the railroad or transit right-of-way to be included in the lot area in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

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

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L.U. No. 191

By Council Member Greenfield:

Application No. C 140409 ZSM submitted by 1818 Nadlan LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-32(c) of the Zoning Resolution to modify the requirements for height, setback, permitted obstructions and planting in connection with a proposed residential building on property located at 505-513 West 43rd Street a.k.a. 506-512 West 44th Street within the Special Clinton District, Borough of Manhattan, Community Board 4, Council District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Charter Section 197-d(b)(2) or called up by vote of the Council pursuant to Charter Section 197-d(b)(3).

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

L.U. No. 192

By Council Member Greenfield:

Application No. 20155429 HAX submitted by the New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for a real property tax exemption for properties identified as Block 2685, Lot 28, Block 2740, Lots 10 and 12, and Block 2762, Lots 16, 18, 25 and 40, on the tax map of the City of New York, Borough of the Bronx, Community Board 2, Council District 17.

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

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

ANNOUNCEMENTS:

Thursday, March 12, 2015

10:00 a.m.	Public Safety Committee – Council Chambers – City Hall
10:00 a.m.	Police Department
12:00 p.m.	District Attorneys/Special Narcotics Prosecutor
2:00 p.m.	Civilian Complaint Review Board
3:00 p.m.	Criminal Justice Coordinator

3:45 p.m. Public

12:00 p.m. Standards and Ethics Committee – Committee Room – City Hall

12:00 p.m. Conflicts of Interest Board

12:45 p.m. Public

Friday, March 13, 2015

10:00 a.m. Mental Health, Developmental Disabilities, Alcoholism, Drug Abuse & Disability Services Committee – Council Chambers – City Hall

10:00 a.m. Department of Health & Mental Hygiene

11:30 a.m. Public

1:00 p.m. Environmental Protection Committee – Committee Room – City Hall

1:00 p.m. Department of Environmental Protection

3:30 p.m. Public

Monday, March 16, 2015

10:00 a.m. Civil Rights Committee – Council Chambers – City Hall

10:00 a.m. Human Rights Commission

10:30 a.m. Equal Employment Practices Commission

11:00 a.m. Public

12:00 p.m. Oversight & Investigations Committee – Committee Room – City Hall

12:00 p.m. Department of Investigation

1:00 p.m. Public

Tuesday, March 17, 2015

10:00 a.m. General Welfare Committee – Council Chambers – City Hall

10:00 a.m. Administration for Children’s Services joint with Women’s Issues and Juvenile Justice Committees

12:30 p.m. Department of Homeless Services

2:30 p.m. Human Resources Administration / Department of Social Services

4:00 p.m. Public

Wednesday, March 18, 2015

★ Deferred

- ~~10:00 a.m. — Youth Services Committee — Council Chambers — City Hall~~
- ~~10:00 a.m. — Department of Youth and Community Development (Joint with Community Development Committee)~~
- ~~11:30 a.m. — Public~~

Thursday, March 19, 2015

★ Note Time Changes

- 10:00 a.m. Governmental Operations Committee – Committee Room – City Hall**
- 10:00 a.m. Financial Information Services Agency
- 10:30 a.m. Office of Payroll Administration
- 11:15 a.m. Department of Records and Information Services
- 11:45 a.m. Tax Commission
- 12:15 p.m. Office of Administrative Trials and Hearings
- 12:45 p.m. Law Department
- 1:30 p.m. Department of Citywide Administrative Services
- ★ 2:30 p.m. Community Board**
- ★ 3:00 p.m. Board of Elections**
- 4:00 p.m. Public

★ Deferred

- ~~10:00 a.m. — Education Committee — Council Chambers — City Hall~~
- ~~10:00 a.m. — Department of Education (Expense)~~
- ~~1:00 p.m. — Department of Education and School Construction Authority (Capital)~~
- ~~3:00 p.m. — Public~~

Committee on VETERANS 1:00 P.M.

Proposed Res 329-A - By Council Members Maisel, Ulrich, Dickens, Gentile, Koo, Mendez and Rose - **Resolution** calling upon the New York State Legislature to pass and the Governor to sign S.752, the Veterans' Education Through SUNY Credits Act.

Committee Room – 250 Broadway, 14th Floor Eric Ulrich, Chairperson

Friday, March 20, 2015

**10:00 a.m. Cultural Affairs, Libraries & International Intergroup
Relations Committee – Council Chambers – City Hall**
 10:00 a.m. Libraries (joint with Subcommittee on Libraries)
 11:30 a.m. Department of Cultural Affairs
 1:00 p.m. Public

Monday, March 23, 2015**★ Note Location Change**

10:00 a.m. Health Committee – ★ Committee Room – City Hall
 10:00 a.m. Medical Examiner
 11:00 a.m. Department of Health & Mental Hygiene
 1:00 p.m. Health & Hospitals Corporation
 2:30 p.m. Public

★ Note Location Change

10:00 a.m. Aging Committee – ★ Council Chambers – City Hall
 10:00 a.m. Department for the Aging (joint with the Subcommittee on
 Senior Centers)
 11:30 a.m. Public

Tuesday, March 24, 2015

Subcommittee on **ZONING & FRANCHISES**9:30 A.M.

See Land Use Calendar

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

**10:00 a.m. Fire & Criminal Justice Services Committee – Council
Chambers – City Hall**
 10:00 a.m. Fire/Emergency Medical Service
 12:00 p.m. Department of Probation
 12:30 p.m. Department of Correction
 1:30 p.m. Office of Emergency Management
 2:15 p.m. Public

Subcommittee on **LANDMARKS, PUBLIC SITING
& MARITIME USES****11:00 A.M.**

See Land Use Calendar

Committee Room – 250 Broadway, 16th FloorPeter Koo, Chairperson

Subcommittee on **PLANNING, DISPOSITIONS
& CONCESSIONS** **1:00 P.M.**

See Land Use Calendar

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

Wednesday, March 25, 2015

★ Addition

- 10:00 a.m.** **Education Committee – Council Chambers – City Hall**
- 10:00 a.m. Department of Education (Expense)
- 1:00 p.m. Department of Education and School Construction Authority
(Capital)
- 3:00 p.m. Public

★ Note Location Change

- 10:00 a.m.** **Sanitation & Solid Waste Management Committee – ★**
Committee Room – City Hall
- 10:00 a.m. Department of Sanitation
- 12:00 p.m. Business Integrity Commission
- 12:30 p.m. Public

★ Deferred

- ~~**10:00 a.m.** **Governmental Operations Committee – Committee Room –**
City Hall~~
- ~~10:00 a.m. Financial Information Services Agency~~
- ~~10:30 a.m. Office of Payroll Administration~~
- ~~11:15 a.m. Board of Elections~~
- ~~12:15 p.m. Law Department~~
- ~~1:00 p.m. Department of Citywide Administrative Services~~
- ~~2:00 p.m. Department of Records and Information Services~~
- ~~2:30 p.m. Tax Commission~~
- ~~3:00 p.m. Community Boards~~
- ~~3:30 p.m. Public~~

Thursday, March 26, 2015**10:00 a.m. Economic Development Committee – Council Chambers – City Hall**

10:00 a.m. Department of Small Business Services and Economic Development Corporation (Capital) (joint with Small Business Committee)

12:00 p.m. Public

10:00 a.m. Public Housing Committee – Committee Room – City Hall

10:00 a.m. NYC Housing Authority

12:00 p.m. Public

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 – 250 Broadway, 16th Floor

..... David G. Greenfield, Chairperson

★ Deferred

~~**1:30 p.m. Youth Services Committee – Council Chambers – City Hall**~~

~~1:30 p.m. Department of Youth and Community Development (Joint with Community Development Committee)~~

~~3:00 p.m. Public~~

Friday, March 27, 2015**10:00 a.m. Courts and Legal Services Committee – Council Chambers – City Hall**

10:00 a.m. Legal Aid / Indigent Defense Services

11:00 a.m. Public

10:00 a.m. Contracts Committee – Committee Room – City Hall

10:00 a.m. Mayor's Office of Contracts

11:00 a.m. Public

★ Addition

<p>1:00 p.m.</p> <p>1:00 p.m.</p> <p>2:30 p.m.</p>	<p>Youth Services Committee – Council Chambers – City Hall</p> <p>Department of Youth and Community Development (Joint with Community Development Committee)</p> <p>Public</p>
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Tuesday, March 31, 2015

★ Addition

Committee on **FINANCE****10:00 A.M.**

Int 555 - By Council Members Ferreras, Arroyo, Dickens, King, Koo, Koslowitz, Williams, Vacca, Rodriguez, Mendez and Cohen - **A Local Law** to amend the administrative code of the city of New York, in relation to the senior citizen rent increase exemption.

Proposed Int 497-A - By Council Members Rosenthal, Levin and Ferreras - **A Local Law** to amend the administrative code of the city of New York and the New York City Charter, in relation to the interest rate and discount rate recommendations provided by the New York City Banking Commission.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Committee Room – City Hall Julissa 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 Tuesday, March 31, 2015.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor’s Local Law Note: Int Nos. 384-A, 519-A, 562-A, 615-A, and 655 (all adopted by the Council at the February 12, 2015 Stated Meeting) were signed into law by the Mayor on March 3, 2015 as, respectively, Local Law Nos. 16, 17, 18, 19, and 20 of 2015.