

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Tuesday, March 22, 2016, 1:55 p.m.

The Deputy Leader (Council Member Gentile)
Acting President Pro Tempore and Presiding Officer

Council Members

Melissa Mark-Viverito, *Speaker*

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

Absent: Council Members Garodnick and Menchaca.

Medical Leave: Council Members Rose and Wills.

The Deputy Leader (Council Member Gentile) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings. The Public Advocate (Ms. James) was not present at this Meeting.

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Deputy Leader (Council Member Gentile).

There were 47 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 Sister Winifred Doherty, Congregation of Our Lady of Charity of the Good Shepard, 337 East 17th Street, New York, N.Y. 10003.

Let us pray. Shepherd God,
we thank you for this day
and the many blessings we have received.
Shepherd God, we thank you for the City of New York,
and the many communities who inhabit it.
Shepherd God, we thank you for this City Council
for each member that serves and for each one's family.
Shepherd God, give each Council Member
the resolve to free the human race
from the tyranny of poverty and want,
and to heal and save our planet.
Shepherd God, help each member to foster
peaceful, just and inclusive communities,
which are free from fear and violence.
Shepherd God, we urge each member to protect human rights,
and promote gender equality
and the empowerment of women and girls.
Shepherd God, show us how to create conditions
for sustainable, inclusive and sustained
economic growth and decent work for all.
Shepherd God, inspire us all
to combat inequalities and place people,
planet, partnerships, peace and prosperity
at the center of our decision making.
Shepherd God, you are justice and mercy.
We pray for all in our city
who are hungry, unemployed, or uninsured,
for all who are migrants, undocumented, trafficked or refugees.
For all who are physically and mentally ill,
for all who live in fear and violent relationship,
for all who experience gender-based violence
within the family and within the city boundaries.
Shepherd God, as the Council meets this afternoon,
give clarity of mind, compassion, creativity,
due diligence, integrity, and a sense of humor
to each member to work towards transformative change.
Shepherd God, move us all to take
the bold and transformative steps,
which are required to shift the city and the world
onto a sustainable and resilient path,
pledging to leave no one behind
in our city or our world.
Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Mark-Viverito) acknowledged the terrorist attacks that took place in Brussels, Belgium earlier that day of March 22, 2016 where at least 34 people were killed and many more were injured. She stated that New York City and the world stood in solidarity with Brussels and with Turkey which had also suffered deadly terrorist attacks that month. The Speaker (Council Member Mark-Viverito) offered her thoughts and prayers to the victims, the survivors, and their families and asked for a Moment of Silence.

* * *

ADOPTION OF MINUTES

Council Member Vallone moved that the Minutes of the Stated Meeting of February 24, 2016 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-384

Communication from the Office of Management & Budget – Transfer City funds between various agencies in Fiscal Year 2016 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-4).

March 17, 2016

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2016 to implement changes in the City's expense budget.

This modification (MN-4) will implement expense budget changes which were reflected in the City's January Financial Plan. In addition, as requested by the City Council, this modification reallocates appropriations that were included in the FY 2016 Adopted Budget to fund City Council local initiatives. Also included are transfers between units of appropriation in the City Council's budget.

Appendix A details State, Federal and other funds impacted by these changes.

Your approval of modification MN-4 is respectfully requested

Sincerely,

Dean Fuleihan

(For text of MN-4 numbers, please see the attachment to the resolution following the Report of the Committee on Finance for M-384 & Res No. 1015; for text of Appendix A, please refer to Res No. 1015 of 2016 on the New York Council website at <http://council.nyc.gov>)

Referred to the Committee on Finance.

Preconsidered M-385

Communication from the Office of Management & Budget – Appropriation of new revenues of \$982 million in Fiscal Year 2016, pursuant to Section 107(e) of the New York City Charter (MN-5).

March 17, 2016

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$ 982 million in fiscal year 2016.

This modification (MN-5) will implement revenue budget changes reflected in the City's January Financial Plan. The \$ 982 million of new revenues combined with additional resources of \$ 400 million of Prior Year Payables and the reduction of \$ 778 million to the General Reserve will be used to increase the Budget Stabilization Account by \$2.160 billion to prepay fiscal year 2017 debt service in fiscal year 2016.

Your approval of modification MN-5 is respectfully requested.

Sincerely

Dean Fuleihan

(For text of MN-5 numbers, please see the attachment to the resolution following the Report of the Committee on Finance for M-385 & Res No. 1016)

Referred to the Committee on Finance.

M-386

Communication from the Public Advocate - Submitting the name of Michelle de la Uz to the Council for its advice and consent regarding her re-appointment to the City Planning Commission.

March 9, 2016

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

Re: Appointment to the City Planning Commission

Dear Speaker Mark Viverito:

Pursuant to sections 31 and 192(a) of the New York City Charter, I am transmitting for the City Council's consideration the name of **Michelle de la Uz** for re-appointment to the City Planning Commission, for the term that began July 1, 2015.

If you need to contact Ms. de la Uz, she can be reached at (718) 237-2017 (ext. 116). For further information, your staff may also contact my office through Larry Schimmel, Esq., General Counsel for Investments and Operations, at (212) 669-2172.

Please have your office inform me of the date and time of the hearing on this re-appointment once it has been scheduled.

Sincerely,

Letitia James

Public Advocate for the City of New York

cc: The Honorable Bill de Blasio, Mayor
The Honorable Brad Lander, Chair - Committee on Rules, Privileges and Elections
Carl Weisbrod, Chair - City Planning Commission
Michelle de la Uz

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-387

By Council Member Wills:

Pursuant to Rule 11.20.b of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application No. C 160097 PPQ shall be subject to Council review.

Coupled on Call-up vote.

LAND USE CALL-UP VOTE

The Deputy Leader (Council Member Gentile) put the question whether the Council would agree with and adopt such motion which was decided in the **affirmative** by the following vote:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

At this point, the Deputy Leader (Council Member Gentile) declared the aforementioned item **adopted** and referred this item to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report for Int No. 815-B

Report of the Committee on Civil Rights in favor of approving, as amended, a Local Law to amend the administrative code of the city of New York, in relation to protecting the right to truthful information under the city human rights law and expressly providing a cause of action for employers and principals whose rights are violated by conduct to which their employees or agents are subjected.

The Committee on Civil Rights, to which the annexed amended proposed local law was referred on June 10, 2015 (Minutes, p. 2202), respectfully

REPORTS:

I. INTRODUCTION

On Monday, March 21, 2016, the Committee on Civil Rights, chaired by Council Member Darlene Mealy, will hold a hearing to vote on Proposed Introductory Bill Number 815-B (“Int. No. 815-B”), a Local Law to amend the administrative code of the city of New York, in relation to protecting the right to truthful information under the city human rights law and expressly providing a cause of action for employers and principals whose rights are violated by conduct to which their employees or agents are subjected. On September 21, 2015, the Committee held a hearing on Int. No. 815-B. At that hearing testimony was submitted and heard from the New York City Commission on Human Rights (“the Commission”), advocates, and other interested parties.

II. BACKGROUND

The New York City Human Rights Law (“HRL”), embodied in the New York City Charter and title eight of the New York City Administrative Code, is one of the most expansive and comprehensive human rights laws in the nation. The HRL protects a number of classes of persons from discrimination in the areas of employment, housing, public accommodations, and more.¹ Protected classes covered under the HRL include race, national origin, disability, sexual orientation, alienage or citizenship status, gender, partnership status, age, and others.²

While the HRL is comprehensive, there is potential to strengthen it by including additional protections. Int. No. 815-B would expand the right to not be told false information for discriminatory reasons, which currently only exists in the HRL against real estate brokers and salespeople offering housing, land, and commercial space, to a variety of other activity covered under the HRL, including the availability of housing, land, and commercial space, admission certain organizations, lending, employment, and access to public accommodations. It would also give principals and employers a cause of action when their rights are violated by discrimination against their agents or employees, as long as the discrimination happened while the agent or employee was working for the principal or employer, and make a technical correction to the HRL.

III. INT. NO. 815-B

The HRL currently prohibits real estate brokers and salespeople from making false statements about the availability of housing, land, or commercial space for a discriminatory reason. This prohibition is often referred to as the “right to truthful information,” and is particularly useful in making it easier for testers and the organizations that employ testers to investigate potential discrimination to bring and prove discrimination claims in court or before the Commission on Human Rights. Many organizations rely on testers to investigate potential discrimination, including, in some cases, the Commission on Human Rights. Proposed Int. No. 815-B would introduce or broaden the right to truthful information for a variety of additional activity covered by the HRL, including: the availability and terms and conditions of sale or lease for housing, land, or commercial space; admission to or membership in a Multiple Listing Service or similar organizations; lending; employment; and access to public accommodations (which include many providers of goods and services, including restaurants, stores, and even some government entities).

Int. No. 815-B would also expressly give principals and employers a cause of action if their rights under the HRL are violated by discriminatory conduct that their agents or employees are subjected to while acting within the scope of that agency or employment relationship by creating a partial definition of who constitutes a “person aggrieved” under the HRL. This recognition would be especially useful for artificial entities such as for-profit or not-for-profit corporations which necessarily transact their business through employees and agents. For purposes of bringing such a claim, agent or employee’s protected status (such as race, gender, religion or sexual orientation) would be imputed to the principal or employer. It would not matter, for the purposes of bringing such a claim, if the entity alleged to have discriminated knew about the agency or employment relationship. Int. No. 815-B would not, however, disturb any existing basis or theory for demonstrating standing or a cause of action under the HRL. In holding the covered entity responsible for what it has done to the principal or employer, Int. No. 815-B would seek to enhance the deterrent effect of the City HRL.

Not everything that happens to an employee will implicate the rights of that person’s employer. For example, a cleaning company has been hired by a commercial office building to clean its offices each evening. On the way to the commercial office building, one of the cleaning company’s employees takes a detour to go shopping at a store, and is discriminated against at the store in violation of her right to access and use a public accommodation on equal terms and conditions as everyone else. If the trip to the store was not within the scope of the employment relationship or a result of that relationship, however, the cleaning company’s rights would not have been violated by the discrimination and so it would not have standing to bring a claim under the language added by Int. No. 815-B.

¹ N.Y.C. Admin. Code §8-101 *et se.q*

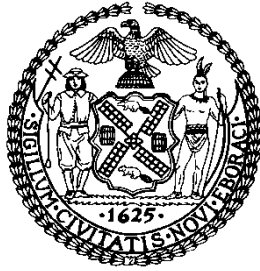
² *Id.*

In addition, Int. No. 815-B would reaffirm the principle that the only injury needed to achieve standing under the City HRL is the invasion of a right created, granted, or protected by the law.

Finally, Int. No. 815-B would correct Code section 8-107(9) by adding back a review provision inadvertently dropped from the law by prior legislation.

Int. No. 815- B would go into effect 120 days after it becomes law, except that section 5 takes effect on the later of 120 days after it becomes law or on the effective date of Int. 805-A for the year 2016. Section 12 takes effect immediately and is deemed to have been in effect as of October 27, 2015. Finally, section 14 takes effect on the later of 120 days after it becomes law or on the effective date of Int. 832-A for the year 2016.

(The following is the text of the Fiscal Impact Statement for Int No. 815-B:)



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

PROPOSED INTRO. NO 815-B

COMMITTEE: Civil Rights

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to expanding the right to truthful information under the city human rights law and expressly providing a cause of action for employers and principals whose rights are violated by conduct to which their employees or agents are subjected.

SPONSORS: Lander, Chin, Johnson, Mendez, Rosenthal, King, Lancman, Constantinides, Van Bramer, and Menchaca

SUMMARY OF LEGISLATION: The New York City Human Rights Law bars real estate agents and salespeople from making false statements about the availability of housing, land, or commercial space for a discriminatory reason. This protection is often referred to as the “right to truthful information.”

Proposed Int. No. 815-B would extend the right to truthful information protection to the following:

- the sale or lease for housing, land, or commercial space by owners and their agents;
- admission to or membership in a Multiple Listing Service or similar organizations;
- lending; employment; and
- access to public accommodations, which include many providers of goods and services.

This bill would also give principals and employers a cause of action when their rights are violated by unlawful discriminatory acts their agents or employees are subjected to, as long as the discrimination happened while the agent or employee was working for the principal or employer. Finally, this bill would make a technical correction to the Fair Chance Act, which prohibited employers from asking about a job applicant’s criminal record prior to making a job offer.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law, except that section 5 of the bill, which relates to expanding the protections of the city of New York human rights law with regard to the prohibition of discrimination based on status or perceived status of a protected class to public accommodations, and making certain technical corrections, would take effect on the later of 120 days after it

becomes law or on the effective date of Int. 805-A for the year 2016, section 12 of the bill, which relates to the provisions of this legislation being enforceable against public agencies and employees would take effect immediately and is deemed to have been in effect as of October 27, 2015, and section 14 of the bill, which relates to prohibiting discrimination based on one's arrest record or criminal conviction would take effect on the later of 120 days after it becomes law or on the effective date of Int. 832-A for the year 2016.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that this local law would have no impact on revenues.

IMPACT ON EXPENDITURES: It is estimated that this proposed legislation would have no impact on expenditures and that existing resources could be used to implement the requirements of the legislation. However, the New York City Commission on Human Rights has indicated that it would need additional budgetary resources to implement Proposed Intro. 815-B for both Personal Services (PS) and Other Than Personal Services (OTPS) costs. The Commission anticipates that it would have to hire two additional staff, one for the Law Enforcement Bureau with an annual salary between \$65,000 and \$72,000 and one for the Community Relations Bureau with an annual salary between \$53,000 and \$60,000. The Commissioner further estimates that OTPS costs of \$355,000 would be used for communications activities related to updating all brochures with its list of existing protections, creating new materials (design, translation, reproduction), and social media outreach (design, translation, ad placement). Nonetheless, the Finance Division estimates that the Commission has sufficient resources available to meet mandates of Proposed Intro. No. 815-B because it currently has a budgeted headcount of 121 positions, but 36 positions are unfilled.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: Finance Division

ESTIMATE PREPARED BY: Eisha Wright, Unit Head, Finance Division

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. 815 was introduced by the Council on June 10, 2015 and referred to the Committee on Civil Rights. The legislation was subsequently amended and the amended version, Proposed Intro. No. 815-A, was considered by the Committee at a hearing on September 21, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 815-B, will be voted on by the Committee at a hearing on March 21, 2016. Upon successful vote of the Committee, Proposed Intro.815-B will be submitted to the full Council for a vote on March 22, 2016.

DATE PREPARED: March 21, 2016

Accordingly, this Committee recommends its adoption, as amended.

Int. No. 815-B

By Council Members Lander, Chin, Johnson, Mendez, Rosenthal, King, Lancman, Constantinides, Van Bramer, Menchaca and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to protecting the right to truthful information under the city human rights law and expressly providing a cause of action for employers and principals whose rights are violated by conduct to which their employees or agents are subjected.

Be it enacted by the Council as follows:

Section 1. Subdivision 17 of section 8-102 of the administrative code of the city of New York, as added by local law number 39 for the year 1991, is amended to read as follows:

17. The term “covered entity” means a person required to comply with any provision of [section]sections 8-107 or 8-107.1 of this chapter.

§ 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new subdivision 32 to read as follows:

32. a. *The term “person aggrieved,” except as used in section 8-123, includes a person whose right created, granted or protected by this chapter is violated by a covered entity directly or through conduct of the covered entity to which the person’s agent or employee is subjected while the agent or employee was acting, or as a result of the agent or employee having acted, within the scope of the agency or employment relationship. For purposes of this subdivision, an agent or employee’s protected status is imputed to that person’s principal or employer when the agent or employee acts within the scope of the agency or employment relationship. It is irrelevant whether or not the covered entity knows of the agency or employment relationship.*

b. A person is aggrieved even if that person’s only injury is the deprivation of a right granted or protected by this chapter.

c. This subdivision does not limit or exclude any other basis for a cause of action.

§ 3. Paragraphs (a), (b) and (c) of subdivision 1 of section 8-107 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, are amended to read as follows:

(a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual orientation or alienage or citizenship status of any person[, to]:

(1) To represent that any employment or position is not available when in fact it is available;

(2) To refuse to hire or employ or to bar or to discharge from employment such person; or

[to](3) To discriminate against such person in compensation or in terms, conditions or privileges of employment.

(b) For an employment agency or an employee or agent thereof to discriminate against any person because of such person’s actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual orientation or alienage or citizenship status in receiving, classifying, disposing or otherwise acting upon applications for its services, *including by representing to such person that any employment or position is not available when in fact it is available*, or in referring an applicant or applicants for its services to an employer or employers.

(c) For a labor organization or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual orientation or alienage or citizenship status of any person, to exclude or to expel from its membership such person, *to represent that membership is not available when it is in fact available*, or to discriminate in any way against any of its members or against any employer or any person employed by an employer.

§ 4. Paragraph (b) of subdivision 2 of section 8-107 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, is amended to read as follows:

(b) To deny to or withhold from any person because of his or her actual or perceived race, creed, color, national origin, gender, age, disability, marital status, partnership status, sexual orientation or alienage or citizenship status the right to be admitted to or participate in, a guidance program, an apprentice training program, on-the-job training program, or other occupational training or retraining program, *or to represent that such program is not available when in fact it is available.*

§ 5. Paragraph a of subdivision 4 of section 8-107 of the administrative code of the city of New York, as amended by a local law for the year 2016 amending the administrative code of the city of New York, in relation to expanding the protections of the city of New York human rights law with regard to public accommodations, as proposed in introduction number 805-A, is amended to read as follows:

a. It shall be an unlawful discriminatory practice for any person who is the owner, franchisor, franchisee, lessor, lessee, proprietor, manager, superintendent, agent or employee of any place or provider of public accommodation[, directly or indirectly]:

1. *Because of any person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status, directly or indirectly:*

(a) To refuse, withhold from or deny to [any]such person the full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, services, facilities or privileges of the place or provider of public accommodation [because of such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status]; or

(b) *To represent to any person that any accommodation, advantage, facility or privilege of any such place or provider of public accommodation is not available when in fact it is available; or*

2. [To]Directly or indirectly to make any declaration, publish, circulate, issue, display, post or mail any written or printed communication, notice or advertisement, to the effect that:

(a) Full and equal enjoyment, on equal terms and conditions, of any of the accommodations, advantages, facilities and privileges of any such place or provider of public accommodation shall be refused, withheld from or denied to any person on account of race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status; or

(b) The patronage or custom of any person is unwelcome, objectionable, not acceptable, undesired or unsolicited because of such person's actual or perceived race, creed, color, national origin, age, gender, disability, marital status, partnership status, sexual orientation or alienage or citizenship status.

§ 6. Subparagraphs 1, 2 and 3 of paragraph (a) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 10 for the year 2008, are amended to read as follows:

(1) *Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of any person or group of persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons:*

(a) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any such person or group of persons such a housing accommodation or an interest therein[because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because of any lawful source of income of such person or persons, or because children are, may be or would be residing with such person or persons.

(2)];

(b) To discriminate against any such person [because of such person's actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or because of any lawful source of income of such person, or because children are, may be or would be residing with such person,] *or persons* in the terms, conditions or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith[.

(3)]; *or*

(c) To represent to such person or persons that any housing accommodation or an interest therein is not available for inspection, sale, rental or lease when in fact it is available to such person.

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein or to make any record or inquiry in conjunction with the prospective purchase, rental or lease of such a housing accommodation or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or any lawful source of income, or whether children are, may be, or would be residing with a person, or any intent to make such limitation, specification or discrimination.

§ 7. Paragraph (b) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, is amended to read as follows:

(b) Land and commercial space. It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent, or lease, or approve the sale, rental or lease of land or commercial space or an interest therein, or any agency or employee thereof:

(1) *Because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of any person or group of persons, or because children are, may be or would be residing with any person or persons:*

(A) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny or to withhold from any *such* person or group of persons land or commercial space or an interest therein [because of the actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status of such person or persons, or because children are, may be or would be residing with such person or persons.

(2)];

(B) To discriminate against any *such* person [because of actual or perceived race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or because children are, may be or would be residing with such person,] *or persons* in the terms, conditions or privileges of the sale, rental or lease of any such land or commercial space or an interest therein or in the furnishing of facilities or services in connection therewith[.

(3)]; *or*

(C) *To represent to any person or persons that any land or commercial space or an interest therein is not available for inspection, sale, rental or lease when in fact it is available.*

(2) To declare, print or circulate or cause to be declared, printed or circulated any statement, advertisement or publication, or to use any form of application for the purchase, rental or lease of such land or commercial space or an interest therein or to make any record or inquiry in connection with the prospective purchase, rental or lease of such land or commercial space or an interest therein which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, age, disability, sexual orientation, marital status, partnership status, or alienage or citizenship status, or whether children are, may be or would be residing with such person, or any intent to make any such limitation, specification or discrimination.

§ 8. Paragraph (d) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, is amended to read as follows:

(d) Lending practices. (1) It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city [and if incorporated regardless of whether], *including unincorporated entities and entities* incorporated [under the laws of the state of New York, the United States or] *in any* [other] jurisdiction, or any officer, agent or employee thereof to whom application is made for a loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, land or commercial space or an interest therein: [(1)]

(A) To discriminate against such applicant [or applicants because] *in the granting, withholding, extending or renewing, or in the fixing of rates, terms or conditions of any such financial assistance or in the appraisal of any housing accommodation, land or commercial space or an interest therein:*

(i) *Because* of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, partnership status, or alienage or citizenship status of such applicant [or applicants or of], any member, stockholder, director, officer or employee of such applicant [or applicants], or [of] the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space[.]; or [because]

(ii) *Because* children are, may be or would be residing with such applicant or other person[, in the granting, withholding, extending or renewing, or in the fixing of rates, terms or conditions of any such financial assistance or in the appraisal of any housing accommodation, land or commercial space or an interest therein].

[(2)](B) To use any form of application for a loan, mortgage, or other form of financial assistance, or to make any record or inquiry in connection with applications for such financial assistance, or in connection with the appraisal of any housing accommodation, land or commercial space or an interest therein, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, partnership status, or alienage or citizenship status, or whether children are, may be, or would be residing with a person.

(2) *It shall be an unlawful discriminatory practice for any person, bank, trust company, private banker, savings bank, industrial bank, savings and loan association, credit union, investment company, mortgage company, insurance company, or other financial institution or lender, doing business in the city, including unincorporated entities and entities incorporated in any jurisdiction, or any officer, agent or employee thereof to represent to any person that any type or term of loan, mortgage or other form of financial assistance for the purchase, acquisition, construction, rehabilitation, repair or maintenance of such housing accommodation, land or commercial space or an interest therein is not available when in fact it is available:*

(A) *Because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, partnership status, or alienage or citizenship status of such person, any member, stockholder, director, officer or employee of such person, or the occupants or tenants or prospective occupants or tenants of such housing accommodation, land or commercial space; or*

(B) *Because children are, may be or would be residing with a person.*

§ 9. Paragraph (e) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as amended by local law number 85 for the year 2005, is amended to read as follows:

(e) Real estate services. It shall be an unlawful discriminatory practice, *because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, partnership status, or alienage or citizenship status of any person or because children are, may be or would be residing with such person:*

[to](1) *To deny [a]such person access to, [or] membership in or participation in[,] a multiple listing service, real estate brokers' organization, or other service [because of the actual or perceived race, creed, color, national origin, gender, disability, sexual orientation, age, marital status, partnership status, or alienage or citizenship status of such person or because children are, may be or would be residing with such person]; or*

(2) *To represent to such person that access to or membership in such service or organization is not available, when in fact it is available.*

§ 10. Paragraph (n) of subdivision 5 of section 8-107 of the administrative code of the city of New York, as added by local law number 39 for the year 1991, is amended to read as follows:

(n) Discrimination on the basis of occupation prohibited in housing accommodations. Where a housing accommodation or an interest therein is sought or occupied exclusively for residential purposes, the provisions of this subdivision shall be construed to prohibit discrimination *on account of a person's occupation* in [the];

(1) *The sale, rental, or leasing of such housing accommodation or interest therein [and in the];*

(2) *The terms, conditions and privileges of the sale, rental or leasing of such housing accommodation or interest therein [and in the furnishing of];*

(3) *Furnishing facilities or services in connection therewith[, on account of a person's occupation]; and*

(4) *Representing whether or not such housing accommodation or interest therein is available for sale, rental, or leasing.*

§ 11. Subparagraph (1) of paragraph (a) of subdivision 9 of section 8-107 of the administrative code of the city of New York, as amended by local law 63 for the year 2015, is amended to read as follows:

(1) Except as otherwise provided in paragraph [(c)]c of this subdivision, for an agency authorized to issue a license, registration or permit or an employee thereof *to falsely deny the availability of such license, registration or permit, or otherwise* discriminate against an applicant, *or a putative or prospective* applicant for a license, registration or permit because of the actual or perceived race, creed, color, national origin, age, gender, marital status, partnership status, disability, sexual orientation or alienage or citizenship status of such applicant.

§ 12. Subdivision 9 of section 8-107 of the administrative code of the city of New York is amended by adding a new paragraph (e) to read as follows:

(e) The provisions of this subdivision shall be enforceable against public agencies and employees thereof by a proceeding brought pursuant to article 78 of the civil practice law and rules.

§ 13. Paragraph a of subdivision 11-a of section 8-107 of the administrative code of the city of New York, as added by local law number 63 for the year 2015, is amended to read as follows:

(a) In addition to the restrictions in subdivision 11 of this section, it shall be an unlawful discriminatory practice for any employer, employment agency or agent thereof to:

(1) Declare, print or circulate or cause to be declared, printed or circulated any solicitation, advertisement or publication, which expresses, directly or indirectly, any limitation, or specification in employment based on a person's arrest or criminal conviction; [or]

(2) Because of any person's arrest or criminal conviction, represent that any employment or position is not available, when in fact it is available to such person; or

(3) Make any inquiry or statement related to the pending arrest or criminal conviction record of any person who is in the process of applying for employment with such employer or agent thereof until after such employer or agent thereof has extended a conditional offer of employment to the applicant. For purposes of this subdivision, with respect to an applicant for temporary employment at a temporary help firm as such term is defined by subdivision five of section 916 of article 31 of the [New York]labor law, an offer to be placed in the temporary help firm's general candidate pool shall constitute a conditional offer of employment. For purposes of this subdivision, "any inquiry" means any question communicated to an applicant in writing or otherwise, or any searches of publicly available records or consumer reports that are conducted for the purpose of obtaining an applicant's criminal background information[. For purposes of this subdivision], and "any statement" means a statement communicated in writing or otherwise to the applicant for purposes of obtaining an applicant's criminal background information regarding: (i) an arrest record; (ii) a conviction record; or (iii) a criminal background check.

§ 14. Subdivision 11-b of section 8-107 of the administrative code of the city of New York, as added by local law number 63 for the year 2015, is amended to read as follows:

11-b. Arrest record; credit application. For purposes of issuing credit, it shall be an unlawful discriminatory practice, unless specifically required or permitted by any other law, to:

(a) [deny]Deny or act adversely upon any person seeking credit by reason of an arrest or criminal accusation of such person when such denial or adverse action is in violation of subdivision 16 of section 296 of article 15 of the [New York state]executive law; [or]

(b) [make]Make any inquiry in writing or otherwise, regarding any arrest or criminal accusation of a person seeking credit when such inquiry is in violation of subdivision 16 of section 296 of article 15 of the [New York state]executive law; or

(c) Because of any arrest or criminal accusation of a person seeking credit, represent to such person that credit is not available, when in fact it is available to such person.

§ 15. Subparagraph (1) of paragraph a of subdivision 21 of section 8-107 of the administrative code of the city of New York, as added by local law number 14 for the year 2013, is amended to read as follows:

(1) Except as provided in paragraphs b and c of this subdivision, an employer, employment agency, or agent thereof shall not[base];

(a) Because of a person's unemployment, represent that any employment or position is not available when in fact it is available; or

(b) Base an employment decision with regard to hiring, compensation or the terms, conditions or privileges of employment on an applicant's unemployment.

§ 16. Subdivision b of section 8-107.1 of the administrative code of the city of New York, as renumbered and amended by a local law for the year 2016 amending the administrative code of the city of New York, in relation to

prohibiting discrimination in housing accommodations on the basis of an individual's status as a victim of domestic violence, as proposed in introduction number 832-a, is amended to read as follows:

b. Unlawful discriminatory practices. 1. (a) It shall be an unlawful discriminatory practice for an employer, or an agent thereof, [to]*because of any individual's actual or perceived status as a victim of domestic violence, or as a victim of sex offenses or stalking:*

(1) To represent that any employment or position is not available when in fact it is available;

(2) To refuse to hire or employ or to bar or to discharge from employment[,]; or [to]

(3) To discriminate against an individual in compensation or other terms, conditions, or privileges of employment[because of the actual or perceived status of said individual as a victim of domestic violence, or as a victim of sex offenses or stalking].

[(a)](b) Requirement to make reasonable accommodation to the needs of victims of domestic violence, sex offenses or stalking. Except as provided in subparagraph [(c)](d), any person prohibited by paragraph 1 from discriminating on the basis of actual or perceived status as a victim of domestic violence or a victim of sex offenses or stalking shall make reasonable accommodation to enable a person who is a victim of domestic violence, or a victim of sex offenses or stalking to satisfy the essential requisites of a job provided that the status as a victim of domestic violence or a victim of sex offenses or stalking is known or should have been known by the covered entity.

[(b)](c) Documentation of status. Any person required by subparagraph [(a)](b) to make reasonable accommodation may require a person requesting reasonable accommodation pursuant to subparagraph [(a)](b) to provide certification that the person is a victim of domestic violence, sex offenses or stalking. The person requesting reasonable accommodation pursuant to subparagraph [(a)](b) shall provide a copy of such certification to the covered entity within a reasonable period after the request is made. A person may satisfy the certification requirement of this paragraph by providing documentation from an employee, agent, or volunteer of a victim services organization, an attorney, a member of the clergy, or a medical or other professional service provider, from whom the individual seeking a reasonable accommodation or that individual's family or household member has sought assistance in addressing domestic violence, sex offenses or stalking and the effects of the violence or stalking; a police or court record; or other corroborating evidence. All information provided to the covered entity pursuant to this paragraph, including a statement of the person requesting a reasonable accommodation or any other documentation, record, or corroborating evidence, and the fact that the individual has requested or obtained a reasonable accommodation pursuant to this section, shall be retained in the strictest confidence by the covered entity, except to the extent that disclosure is requested or consented to in writing by the person requesting the reasonable accommodation; or otherwise required by applicable federal, state or local law.

[(c)](d) Affirmative defense in domestic violence, sex offenses or stalking cases. In any case where the need for reasonable accommodation is placed in issue, it shall be an affirmative defense that the person aggrieved by the alleged discriminatory practice could not, with reasonable accommodation, satisfy the essential requisites of the job or enjoy the right or rights in question.

2. (a) It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof, [to]*because of any individual's actual or perceived status as a victim of domestic violence, or as a victim of sex offenses or stalking:*

(1) To refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any person or group of persons such a housing accommodation or an interest therein, or to discriminate in the terms, conditions, or privileges of the sale, rental or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith because of an actual or perceived status of said individual as a victim of domestic violence, or as a victim of sex offenses or stalking; or

(2) To represent that such housing accommodation or an interest therein is not available when in fact it is available.

[(a)](b) The provisions of this paragraph 2 shall not apply:

(1) [to]To the rental of a housing accommodation, other than a publicly-assisted housing accommodation, in a building which contains housing accommodations for not more than two families living independently of

each other, if the owner or members of the owner's family reside in one of such housing accommodations, and if the available housing accommodation has not been publicly advertised, listed, or otherwise offered to the general public; or

(2) [to]To the rental of a room or rooms in a housing accommodation, other than a publicly-assisted housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and the owner or members of the owner's family reside in such housing accommodation.

§ 17. Subdivision a of section 8-502 of the administrative code of the city of New York, as amended by local law number 11 for the year 1993, and subdivision f of such section, as amended by local law number 71 for the year 2013, are amended to read as follows:

a. Except as otherwise provided by law, any person claiming to be *a person* aggrieved by an unlawful discriminatory practice as defined in chapter [one]1 of this title or by an act of discriminatory harassment or violence as set forth in chapter [six]6 of this title shall have a cause of action in any court of competent jurisdiction for damages, including punitive damages, and for injunctive relief and such other remedies as may be appropriate, unless such person has filed a complaint with the city commission on human rights or with the state division of human rights with respect to such alleged unlawful discriminatory practice or act of discriminatory harassment or violence. For purposes of this subdivision, the filing of a complaint with a federal agency pursuant to applicable federal law prohibiting discrimination which is subsequently referred to the city commission on human rights or to the state division of human rights pursuant to such law shall not be deemed to constitute the filing of a complaint under this subdivision.

f. The provisions of this section which provide a cause of action to persons claiming to be *persons* aggrieved by an act of discriminatory harassment or violence as set forth in chapter [six]6 of this title shall not apply to acts committed by members of the police department in the course of performing their official duties as police officers whether the police officer is on or off duty. This subdivision shall in no way affect rights or causes of action created by [Section]section 14-151[of the Administrative Code of the City of New York].

§ 18. Section 8-502 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. 1. The term "person aggrieved" includes a person whose right created, granted or protected by chapters 1 or 6 of this title is violated by a covered entity directly or through conduct of the covered entity to which the person's agent or employee is subjected while the agent or employee was acting, or as a result of the agent or employee having acted, within the scope of the agency or employment relationship. For purposes of this subdivision, an agent or employee's protected status is imputed to that person's principal or employer when the agent or employee acts within the scope of the agency or employment relationship. It is irrelevant whether or not the covered entity knows of the agency or employment relationship.

2. A person is aggrieved even if that person's only injury is the deprivation of a right granted or protected by chapters 1 or 6 of this title.

3. This subdivision does not limit or exclude any other basis for a cause of action.

§ 19. This local law takes effect 120 days after it becomes law, except that: a. Section five takes effect on the later of 120 days after it becomes law or the date that a local law amending the administrative code of the city of New York relating to expanding the protections of the city of New York human rights law with regard to public accommodations, as proposed in introduction number 805-A for the year 2016, takes effect;

b. Section twelve takes effect immediately and shall be deemed to have been in effect as of October 27, 2015; and

c. Section fourteen takes effect on the later of 120 days after it becomes law or the date that a local law amending the administrative code of the city of New York relating to prohibiting discrimination in housing accommodations on the basis of an individual's status as a victim of domestic violence, as proposed in introduction number 832-A for the year 2016, takes effect.

DARLENE MEALY, *Chairperson*; MATHIEU EUGENE, DANIEL DROMM, RAFAEL SALAMANCA, Jr.:
Committee on Civil Rights, March 21, 2016. *Other Council Members Attending: Council Member Lander.*

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

Report of the Committee on Finance

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

Report for Res. No. 1011

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on March 22, 2016, respectfully

REPORTS:

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

Analysis. This Resolution, dated March 22, 2016, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2016 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2016 Expense Budget.

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

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 1; sets forth the change in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2016 Expense Budget, as described in Chart 2; sets forth the new designation and changes in the designation of certain organizations receiving funding pursuant to certain initiatives in the Fiscal 2016 Expense Budget, as described in Charts 3-19; sets forth the new organizations and a change in a certain organization that will receive equipment from the organization funded by a certain initiative, as described in Chart 20; and amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2016 Expense Budget, as described in Chart 21.

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

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

Chart 2 sets forth the change in the designation, specifically a name change, of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget.

Chart 3 sets forth the change in the designation, specifically a change in the administering agency, of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget. This change will be effectuated upon a budget modification.

Chart 4 sets forth the change in the designation, specifically the designation of a fiscal conduit, of a certain organization receiving funding pursuant to the Borough-Wide Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 6 sets forth the change in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 7 sets forth the change in the designation, specifically a name change, of a certain organization receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 8 sets forth the change in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the HIV/AIDS - End the Epidemic Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Support Our Seniors Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 10 sets forth the changes in the designation, specifically the removal of funds, of certain organizations receiving funding pursuant to the COMPASS Slot Restoration Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 12 sets forth the change in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Energy Retrofits for Small Buildings Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 13 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 14 sets forth the new designation of a certain organization receiving funding pursuant to the Alternatives to Incarceration (ATI's) Initiative in accordance with the Fiscal 2016 Expense Budget. Chart 14 removes \$605,000 from the Mayor's Office of Criminal Justice and designates \$604,000 to the Liberty Fund, Inc. The additional \$1,000 removed is appropriated to the Department of Cultural Affairs, as reflected in Chart 5.

Chart 15 sets forth the change in the designation, specifically a change in the administering agency, of a certain organization receiving funding pursuant to the AMIDA Care Initiative in accordance with the Fiscal 2016 Expense Budget. This change will be effectuated upon a budget modification.

Chart 16 sets forth the change in the designation, specifically a name change, of a certain organization receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 17 sets forth the change in the designation, specifically an EIN change, of a certain organization receiving funding pursuant to the Hepatitis B/C Initiative in accordance with the Fiscal 2016 Expense Budget. There are two entries for the organization referenced in this chart because it has received two separate awards under this initiative.

Chart 18 sets forth the change in the designation, specifically the removal of funds, of a certain organization receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 19 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition Theaters of Color Initiative in accordance with the Fiscal 2016 Expense Budget.

Chart 20 sets forth the new organizations and a change in a certain organization that will receive equipment, specifically an automated external defibrillator, from the organization, Staten Island Heart Society, Inc., funded by the Beating Hearts Initiative as designated in the Transparency Resolution dated September 17, 2015.

Chart 21 amends the description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2016 Expense Budget.

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

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

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

Accordingly, this Committee recommends its adoption.

(The following is the text of Res No. 1011:)

Preconsidered Res. No. 1011

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

By Council Member Ferreras-Copeland.

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

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-Wide Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS - End the Epidemic Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Support Our Seniors Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 9; and be it further

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Energy Retrofits for Small Buildings Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Alternatives to Incarceration (ATI's) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the AMIDA Care Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Hepatitis B/C Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition Theaters of Color Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 19; and

Resolved, That the City Council approves the new organizations and a change in a certain organization that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in the Transparency Resolution dated September 17, 2015, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 21.

ATTACHMENT:

CHART 1: Local Initiatives - Fiscal 2016

Member	Organization -Program	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Speaker	United Chinese Association of Brooklyn	37-1469112	DYCD	(\$25,000.00)	260	005			
Speaker	Chinese-American Planning Council, Inc.	13-6202692	DYCD	\$25,000.00	260	005			
Ulrich	Doctors of the World USA, Inc. **	35-2426718	DOHMH	(\$10,000.00)	816	112			
Ulrich	DeSales Media Group, Inc. **	11-2613196	DYCD	(\$5,000.00)	260	005			*
Ulrich	Creative Arts Workshops for Kids, Inc. **	13-3638436	DCLA	\$15,000.00	126	003			
King	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	(\$5,000.00)	260	312	South Bronx Overall Economic Development Corporation	13-2736022	
King	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	\$5,000.00	260	312			
Rose	Computers for Youth Foundation, Inc.	13-3935309	DOE	(\$5,000.00)	040	402			
Rose	PowerMyLearning, Inc.	13-3935309	DOE	\$5,000.00	040	402			
Gibson	Computers for Youth Foundation, Inc.	13-3935309	DOE	(\$10,000.00)	040	402			
Gibson	PowerMyLearning, Inc.	13-3935309	DOE	\$10,000.00	040	402			
Ulrich	Howard Beach Lindenwood Civic	46-5145713	DYCD	(\$5,000.00)	260	005			
Ulrich	Howard Beach Lindenwood Civic	46-5145713	DYCD	\$5,000.00	260	005	Citizens Committee for New York City, Inc.	51-0171818	
Ulrich	Charles Park Conservation Society, Inc.	46-5437851	DYCD	(\$5,000.00)	260	005			
Ulrich	Charles Park Conservation Society, Inc.	46-5437851	DYCD	\$5,000.00	260	005	Citizens Committee for New York City, Inc.	51-0171818	
Treyger	St Athanasius Youth Program, Inc.	11-1639837	DFTA	(\$5,000.00)	125	003			
Treyger	St. Athanasius Golden Age Club	11-2773596	DFTA	\$5,000.00	125	003			
Barron	Man Up!, Inc. **	03-0553092	DCLA	(\$150,000.00)	126	003			
Barron	Man Up!, Inc. **	03-0553092	DYCD	\$150,000.00	260	005			
Speaker	Sunnyside Community Service, Inc. **	51-0189327	DFTA	(\$50,000.00)	125	003			
Speaker	Sunnyside Community Service, Inc. **	51-0189327	DYCD	\$50,000.00	260	005			

* Indicates pending completion of pre-qualification review.

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

CHART 2: Youth Discretionary - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Rosenthal	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$5,000.00)	260	312			
Rosenthal	PowerMyLearning, Inc.	13-3935309	DYCD	\$5,000.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 3: Anti-Poverty Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Torres	Amida Care, Inc. **	13-4154068	DYCD	(\$5,000.00)	260	005			
Torres	Amida Care, Inc. **	13-4154068	DOHMH	\$5,000.00	816	113			

* Indicates pending completion of pre-qualification review.

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

CHART 4: Borough-Wide Initiative - Fiscal 2016

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	Fiscal Conduit/Sponsoring Organization	Fiscal Conduit EIN	*
Bronx Delegation	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	(\$12,500.00)	260	005	South Bronx Overall Economic Development Corporation	13-2736022	
Bronx Delegation	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	\$12,500.00	260	312			

* Indicates pending completion of pre-qualification review.

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

CHART 5: Cultural After School Adventure (CASA) - Fiscal 2016

Member	Organization - School	EIN Number	Agency	Amount	Agy #	U/A	*
	Department of Cultural Affairs	13-6400434	DCLA	\$1,000.00	126	003	
Mark-Viverito	Caribbean Cultural Center African Diaspora Institute - PS 369X	13-3054001	DCLA	(\$20,000.00)	126	003	
Mark-Viverito	Visual Arts Research and Resource Center Relating to the Caribbean - PS 369X	13-3054001	DCLA	\$20,000.00	126	003	
Rodriguez	Catholic Charities Community Services, Archdiocese of New York - Gregorio Luperon High School	13-5562185	DCLA	(\$20,000.00)	126	003	
Rodriguez	People's Theatre Project, Inc. - PS 132 Juan Pablo Duarte	26-4705999	DCLA	\$20,000.00	126	003	
Greenfield	Brooklyn Arts Council, Inc. - Beth Jacob of Boro Park	23-7072915	DCLA	(\$20,000.00)	126	003	
Greenfield	Brooklyn Arts Council, Inc. - Bishop Kearney High School	23-7072915	DCLA	\$20,000.00	126	003	*

* Indicates pending completion of pre-qualification review.

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

CHART 6: Parks Equity Initiative - Fiscal 2016

Member	Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Mendez	Partnership for Parks - Augustus St. Gaudens Playground	13-3561657	DPR	(\$6,000.00)	846	006	
Mendez	City Parks Foundation - (Partnership for Parks) - Augustus St. Gaudens Playground	13-3561657	DPR	\$6,000.00	846	006	

* Indicates pending completion of pre-qualification review.

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

CHART 7: NYC Digital Inclusion and Literacy Initiative - Fiscal 2016

Member	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Eugene	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Eugene	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	
Ferreras-Copeland	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Ferreras-Copeland	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	
Miller	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Miller	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	
Mendez	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Mendez	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	
Dromm	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Dromm	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	
Dromm	Computers for Youth Foundation, Inc.	13-3935309	DYCD	(\$20,000.00)	260	312	
Dromm	PowerMyLearning, Inc.	13-3935309	DYCD	\$20,000.00	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 8: HIV/AIDS - End the Epidemic Initiative - Fiscal 2016

Borough	Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Manhattan	Harlem United Community AIDS Center, Inc	13-2552500	DOHMH	(\$200,000.00)	816	112	
Manhattan	Harlem United Community AIDS Center, Inc.	13-3461695	DOHMH	\$200,000.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 9: NYC Support Our Seniors Initiative - Fiscal 2016

Member	Organization - Senior Center	EIN Number	Agency	Amount	Agy #	U/A	*
Ferreras-Copeland	Spanish Speaking Elderly Council - RAICES	11-2730462	DFTA	(\$14,705.00)	125	003	
Ferreras-Copeland	Korean Community Services of Metropolitan New York, Inc. - KSC Corona Neighborhood Senior Center	23-7348989	DFTA	\$14,705.00	125	003	

* Indicates pending completion of pre-qualification review.

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

CHART 10: COMPASS Slot Restoration Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Children's Aid Society, The	13-5562191	DYCD	(\$600.00)	260	312	
Cypress Hills Local Development Corporation	11-2683663	DYCD	(\$34,400.00)	260	312	
Department of Youth and Community Development	13-6400434	DYCD	\$35,000.00	260	312	

* Indicates pending completion of pre-qualification review.

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

CHART 11: Geriatric Mental Health - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Riverdale Mental Health Association, Inc.	13-1930700	DOHMH	(\$44,000.00)	816	120	
Riverdale Senior Services, Inc.	23-7357997	DOHMH	\$44,000.00	816	120	

* Indicates pending completion of pre-qualification review.

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

CHART 12: Energy Retrofits for Small Buildings Initiative - Fiscal 2016

Organization - Program	EIN Number	Agency	Amount	Agy #	U/A	*
Pratt Center for Community Development	11-1630822	HPD	(\$1,000,000.00)	806	009	
Pratt Institute	11-1630822	HPD	\$1,000,000.00	806	009	

* Indicates pending completion of pre-qualification review.

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

CHART 13: Court-Involved Youth Mental Health Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Acacia Network	13-4014082	DOHMH	(\$83,000.00)	816	120	*
Puerto Rican Orgnz To Motivate Enlighten and Serve Addicts, Inc. (PROMESA)	13-2663328	DOHMH	\$83,000.00	816	120	*

* Indicates pending completion of pre-qualification review.

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

CHART 14: Alternatives to Incarceration (ATI's) Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Mayor's Office of Criminal Justice	13-6400434	MOCJ	(\$605,000.00)	098	002	
Liberty Fund, Inc.	38-3974312	MOCJ	\$604,000.00	098	002	*

* Indicates pending completion of pre-qualification review.

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

CHART 15: AMIDA Care Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Amida Care, Inc. **	13-4154068	DYCD	(\$100,000.00)	260	005	
Amida Care, Inc. **	13-4154068	DOHMH	\$100,000.00	816	113	

* Indicates pending completion of pre-qualification review.

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

CHART 16: Immigrant Health Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Young Men's Clinic, The	13-3957095	DOHMH	(\$50,000.00)	816	117	
New York and Presbyterian Hospital, The - Audubon Family Planning Practice and Young Men's Clinic	13-3957095	DOHMH	\$50,000.00	816	117	

* Indicates pending completion of pre-qualification review.

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

CHART 17: Hepatitis B/C Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Harlem United Community AIDS Center, Inc	13-2552500	DOHMH	(\$13,500.00)	816	112	
Harlem United Community AIDS Center, Inc.	13-3461695	DOHMH	\$13,500.00	816	112	
Harlem United Community AIDS Center, Inc	13-2552500	DOHMH	(\$53,880.00)	816	112	
Harlem United Community AIDS Center, Inc.	13-3461695	DOHMH	\$53,880.00	816	112	

* Indicates pending completion of pre-qualification review.

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

CHART 18: Discretionary Child Care Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Nasry Michelen Day Care Center,	20-3108162	ACS	(\$636,470.00)	068	004	*
Administration for Children's Services	13-6400434	ACS	\$636,470.00	068	004	

* Indicates pending completion of pre-qualification review.

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

CHART 19: Coalition Theaters of Color Initiative - Fiscal 2016

Organization	EIN Number	Agency	Amount	Agy #	U/A	*
Sandy Ground Historical Society, The	13-3035736	DCLA	(\$14,600.00)	126	003	
Friends of Alice Austen House, Inc.	13-3248928	DCLA	\$7,300.00	126	003	
Universal Temple of the Arts, Inc.	13-3335286	DCLA	\$7,300.00	126	003	

* Indicates pending completion of pre-qualification review.

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

CHART 20: Beating Hearts Initiative - Fiscal 2016***

Member	Organization	EIN Number *
Matteo	Under the Lights	30-2774008
Matteo	Under the Lights	81-1607407
Barron	Kwatny Foundation, Inc .	81-0606748
Barron	Progressive Youths Soccer Club Inc	27-2272990
Barron	Brooklyn Chiefs, Inc.	86-1057788
Barron	Boulevard Houses Tenant Association (NYCHA)	13-6400434
Borelli	Eden II School for Autistic Children, Inc.	13-2872916
Cabrera	Regional Aid for Interim Needs, Inc. - Bailey Neighborhood Senior Center	13-6213586
Cabrera	Regional Aid for Interim Needs, Inc. - Tolentine Neighborhood Senior Center	13-6213586
Cabrera	Kingsbridge Heights Community Center, Inc.	13-2813809
Cabrera	Davidson Community Center, Inc.	23-7010206
Chin	Rector Churchwardens and Vestrymen of the St. Augustine's Parish Manhattan	13-2854091
Chin	Indochina Sino-American Senior Citizen Center, Inc.	13-3584616
Deutsch	Flatbush Volunteers of Hatzolah, Inc.	13-3213138
Ferreras-Copeland	Lefrak City Youth and Adult Activities Association, Inc.	11-3106422
Ferreras-Copeland	Elmcor Youth and Adult Activities, Inc.	11-2224539
Ferreras-Copeland	Dominico-American Society of Queens, Inc.	06-1389895
Ferreras-Copeland	Make the Road New York	11-3344389
King	Amateur Athletic Unions Of The Us, Inc.	46-3197831
King	St. Luke's Senior Community Program	13-2747442
Levine	New York City Housing Authority	13-6400571
Levine	New York City Housing Authority	13-6400571
Levine	New York City Housing Authority	13-6400571
Levine	New York City Housing Authority	13-6400571
Menchaca	United Puerto Rican Organizations of Sunset Park (UPROSE), Inc.	11-2490531
Menchaca	Atlas DIY	45-4316117
Menchaca	Portside New York, Inc.	20-0176184
Menchaca	Cora, Inc.	11-3639921
Salamanca	Community Board Athletic Leadership League, Inc.	46-1603415
Salamanca	Word of Life International, Inc.	39-2063356
Salamanca	Mary Mitchell Youth and Family Center, Inc.	13-3385032
Salamanca	Rocking the Boat, Inc.	13-4177814
Torres	Police Athletic League, Inc.	13-5596811
Torres	Police Athletic League, Inc.	13-5596811
Torres	Amethyst Housing Development Fund Company, Inc.	13-3412236
Williams	Sesame Flyers International, Inc .	11-2692485
Williams	Gangstas Making Astronomical Community Changes, Inc.	45-3359451
Williams	Voice of Justice for Children and Families, The	45-4634142
Williams	Haitian Family Resource Center, Inc.	45-0678479

Items listed in Italics indicate an EIN change from transparency resolution #10 (2/24/2016)

******Staten Island Heart Society, Inc. has received \$350,000 that will go towards providing automated external defibrillators (AEDs) to non-profit organizations that primarily serve the youth and aging populations. The non-profit organizations are listed above.***

CHART 21: Purpose of Funds Changes - Fiscal 2016

Source	Member	Organization	EIN Number	Agency	Amount	New Purpose of Funds *
Aging	Eugene	St. Gabriel's Episcopal Church	11-2463892	DFTA	(\$16,000.00)	Funds will be used for a graffiti removal program in District 32
Aging	Eugene	St. Gabriel's Episcopal Church	11-2463892	DFTA	\$16,000.00	Funds are used for senior services on a daily basis to assist with programming such as transportation for trips, supplies, arts & craft materials, etc.
Local	Speaker	Long Island City Partnership	11-2651377	DSBS	(\$50,000.00)	Funding to expand and promote the "LIC Spring Stroll, a street festival combining activities, food, and performances for all ages, launched this year under the DOT Weekend Walks Program.
Local	Speaker	Long Island City Partnership	11-2651377	DSBS	\$50,000.00	Funding to create a Comprehensive Plan to recommend actions and engage in a community planning effort covering land use, business development, housing, infrastructure, transportation and workforce development.
Local	King	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	(\$5,000.00)	[SoBRO, as a fiscal conduit on behalf of C-Ball] To support C-Ball Youth Membership Program to provide space, supplies, and other necessary costs for holding meetings, workshops, and events.
Local	King	Community Board Athletic Leadership League, Inc.	46-1603415	DYCD	\$5,000.00	To support C-Ball Youth Membership Program to provide space, supplies, and other necessary costs for holding meetings, workshops, and events.
Local	Cohen	Summer on the Hill	65-1232087	DYCD	(\$10,000.00)	Funding will cover expenses of academic enrichment and guidance for talented New York City public school students in grades 3 - 12.
Local	Cohen	Summer on the Hill	65-1232087	DYCD	\$10,000.00	Funding will provide educational and recreational programming for youth in Council District 11.
Local	Koslowitz	NYC Family Serenity, Inc.	45-2938143	DYCD	(\$5,000.00)	To bring together different ethnic groups to promote peace and understanding through the cultural events. To bring together elected officials, political leaders *
Local	Koslowitz	NYC Family Serenity, Inc.	45-2938143	DYCD	\$5,000.00	To host a free concert for the public on Mother's Day, 2016 at the Forest Hills Jewish Center.
Local	Speaker	Sunnyside Community Service, Inc.	51-0189327	DFTA	(\$50,000.00)	To support senior services including Center for Active Older Adults, Case Assistance and Management Programs, Social Adult Day Services for Seniors living with Alzheimer's Disease or other cognitive and physical impairment, a Caregivers Program, a Geriatric Mental Health Initiative and a Friendly Visiting Program.
Local	Speaker	Sunnyside Community Service, Inc.	51-0189327	DYCD	\$50,000.00	Support for our youth services which help young people discover and develop their own talents and ultimately achieve their own educational and career goals. SCS operates two after-school programs. After-school instructors provide students with academic assistance that parents may be unable to offer because of limited English proficiency or time constraints. A Beacon Community Center in Elmhurst provides educational and recreational programs for families. Our Work Readiness Program serves in-school and out-of-school youth, helping them develop resumes and search for jobs. GED prep classes are also available. Our Green Jobs Internship Program enables participants to gain environmental stewardship skills and to prepare for a job in an expanding industry. The College Readiness Program enables young people who are disadvantaged in the college application process to gain access to and succeed in higher education.

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

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 22, 2016.

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 M-384 & Res No. 1015

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget in regard to the transfer of City funds between various agencies in Fiscal Year 2016 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-4).

The Committee on Finance, to which the annexed preconsidered communication was referred on March 22, 2016, and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on March 22, 2016, the Committee on Finance considered a communication, dated March 17, 2016, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit "1" (the "Modification"), to modify units of appropriation and transfer city funds between various agencies in the amount of \$1,427,152,336 in the Fiscal Year 2016 expense budget as adopted by the Council on June 26, 2015, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter").

Analysis. The Council annually adopts the City's budget covering expenditures other than for capital projects (the "expense budget") pursuant to Section 254 of the Charter. On June 26, 2015, the Council adopted the expense budget for Fiscal Year 2016 (the "Fiscal 2016 Expense Budget"). On January 21, 2016, the Mayor released the January 2016 Financial Plan ("January Plan"), which contained changes to the Fiscal 2016 Expense Budget. This Modification implements expense budget changes that were reflected in the January Plan, reallocates appropriations to fund City Council initiatives, and transfer funds between units of appropriation in the City Council's budget.

The net effect of the Modification is zero. For more detail on the funding transfer between agencies, see Appendix A of the report attached hereto as Exhibit "1". For details on the new needs for Fiscal 2016 that were presented in the January plan and funded by this Modification, please see the report attached hereto as Exhibit "2."

Procedure. If the Mayor wishes to transfer part or all of any unit of appropriation to another unit of appropriation from one agency to another; or when a transfer from one unit of appropriation to the another, and such transfer results in any unit of appropriation being increased or decreased by the greater of five percent or \$50,000, section 107(b) of the Charter requires that the Mayor must first notify the Council of the proposed action. Within 30 days after the first stated meeting of the Council following receipt of such notice, the Council may disapprove such proposed action. If the Council fails to approve or disapprove such proposed

action within such 30-day period, the proposed action becomes effective and the Mayor has the authority to make such transfer.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 107(b) of the Charter. Such resolution would take effect as of the date of adoption.

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division
Nathan Toth, Deputy Director, Finance Division
Regina Poreda Ryan, Deputy Director, Finance Division
Paul Scimone, Deputy Director, Finance Division
Emre Edev, Assistant Director, Finance Division
Rebecca Chasan, Assistant Counsel, Finance Division

DATE: March 22, 2016

SUBJECT: A budget modification (MN-4) for Fiscal Year 2016 to implement changes in the City's expense budget.

INITIATION: By letter dated March 17, 2016, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds between various agencies in the amount of \$1,427,152,336 to implement changes in the City's expense budget.

BACKGROUND: MN-4 reallocates appropriations that were reflected in the Fiscal 2016 Adopted Budget to implement expense budget changes reflected in the January 2016 Financial Plan, fund City Council local initiatives, and transfer funds between units of appropriation in the City Council's budget.

FISCAL IMPACT: MN-4 represents the reallocation of appropriations. The net effect of this modification is zero.

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

Res. No. 1015

RESOLUTION APPROVING THE MODIFICATION (MN-4) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

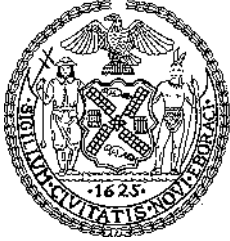
By Council Member Ferreras-Copeland.

WHEREAS, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on March 22, 2016, the Committee on Finance considered a communication, dated March 17, 2016, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “Modification”), to modify units of appropriation and transfer city funds between various agencies in the amount of \$1,427,152,336 in the Fiscal Year 2016 expense budget as adopted by the Council on June 26, 2015, pursuant to Section 107(b) of the Charter of the City of New York (the “Charter”); and

WHEREAS, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

NOW, THEREFORE, The Council of The City of New York hereby resolves as follows:

- 1. Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.
- 2. Effective Date.** This resolution shall take effect as of the date hereof.

ATTACHMENT:

The City of New York

Office of Management and Budget

255 Greenwich Street - New York, New York 10007 - 2146

(212) 788-5900

Dean Fuleihan

March 17, 2016

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2016 to implement changes in the City's expense budget.

This modification (MN-4) will implement expense budget changes which were reflected in the City's January Financial Plan. In addition, as requested by the City Council, this modification reallocates appropriations that were included in the FY 2016 Adopted Budget to fund City Council local initiatives. Also included are transfers between units of appropriation in the City Council's budget.

Appendix A details State, Federal and other funds impacted by these changes.

Your approval of modification MN-4 is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Fuleihan".

Dean Fuleihan

Fiscal Year 2016 Budget Modification

- MN 4 -

FROM

008	OFFICE OF THE ACTUARY	
	100 PERSONAL SERVICE	-215,000
013	BOROUGH PRESIDENT - QUEENS	
	002 OTHER THAN PERSONAL SERVICES	-20,000
017	DEPARTMENT OF EMERGENCY MANAGEMENT	
	002 OTHER THAN PERSONAL SERVICES	-498,083
025	LAW DEPARTMENT	
	001 PERSONAL SERVICES	-436,805
030	DEPARTMENT OF CITY PLANNING	
	001 PERSONAL SERVICES	-600,000
040	DEPARTMENT OF EDUCATION	
	401 GE INSTR & SCH LEADERSHIP - PS	-14,519,190
	438 PUPIL TRANSPORTATION - OTPS	-5,504,290
	470 SE PRE-K CONTRACT PMTS - OTPS	-44,245,807
042	CITY UNIVERSITY OF NEW YORK	
	002 COMMUNITY COLLEGE PS	-2,039,032
068	ADMIN FOR CHILDREN'S SERVICES	
	004 HEADSTART/DAYCARE-OTPS	-165,000
	006 CHILD WELFARE-OTPS	-21,000,000
069	DEPARTMENT OF SOCIAL SERVICES	
	104 MEDICAL ASSISTANCE - OTPS	-204,000,000
	201 ADMINISTRATION	-13,374,267
	203 PUBLIC ASSISTANCE	-7,261,391
095	PENSION CONTRIBUTIONS	
	002 NON-CITY PENSIONS	-6,854,883
	003 NON - ACTUARIAL PENSIONS	-2,000,000
098	MISCELLANEOUS	
	001 RESERVE FOR COLLECTIVE BARGAINING	-104,913,052

FROM

098	MISCELLANEOUS	
	002 OTHER THAN PERSONAL SERVICES	-369,682,152
	003 FRINGE BENEFITS	-121,921,195
099	DEBT SERVICE	
	001 FUNDED DEBT-W/O CONST LIMIT	-246,666,075
	003 LEASE PURCH & CITY GUAR DEBT	-57,401,857
	006 NYC Transitional Finance Authority	-94,613,531
102	CITY COUNCIL	
	002 COMMITTEE STAFFING	-1,225,000
	005 COUNCIL SERVICES DIVISION	-230,000
	100 OTPS COUNCIL MEMBERS	-79,000
103	CITY CLERK	
	001 PERSONAL SERVICES	-236,000
125	DEPARTMENT FOR THE AGING	
	003 COMMUNITY PROGRAMS - OTPS-5,075,905	
126	DEPARTMENT OF CULTURAL AFFAIRS	
	003 CULTURAL PROGRAMS	-214,000
127	FINANCIAL INFORMATION SERVICE AGENCY	
	001 PERSONAL SERVICES	-500,000
	002 OTHER THAN PERSONAL SERVICES	-3,800,000
131	OFFICE OF PAYROLL ADMINISTRATION	
	200 OTHER THAN PERSONAL SERVICE	-586,888
133	EQUAL EMPLOYMENT PRACTICES COMMISSION	
	001 PERSONAL SERVICES	-46,000
134	CIVIL SERVICE COMMISSION	
	001 PERSONAL SERVICES	-46,000
156	NYC TAXI AND LIMOUSINE COMM	
	002 OTHER THAN PERSONAL SERVICE	-392,191
226	COMMISSION ON HUMAN RIGHTS	
	001 PERSONAL SERVICES	-467,500

FROM

260	DEPARTMENT OF YOUTH & COMMUNITY DEV	
	002 EXECUTIVE AND ADMINISTRATIVE MGMT PS	-500,000
	312 OTHER THAN PERSONAL SERVICES	-1,562,226
781	DEPARTMENT OF PROBATION	
	003 PROBATION SERVICES-OTPS	-1,894,711
801	DEPARTMENT OF SMALL BUSINESS SERVICES	
	011 WORKFORCE INVESTMENT ACT - OTPS	-350,000
816	DEPARTMENT OF HEALTH AND MENTAL HYGIENE	
	102 DISEASE CONTROL - PS	-286,234
	103 FAMILY & CHILD HLTH AND FILTH EQUITY - PS	-34,934,296
	104 ENVIRONMENTAL HEALTH - PS	-932,236
	106 OFFICE OF CHIEF MEDICAL EXAMINER - PS	-1,397,960
	113 FAMILY & CHILD HLTH AND FILTH EQUITY-OTPS	-2,177,033
820	OFFICE OF ADMIN TRIALS & HEARINGS	
	001 OFF OF ADM. TRIALS & HEARINGS	-630,793
	002 OFFICE OF ADMIN. TRIALS & HEARINGS- OTPS	-482,452
826	DEPARTMENT OF ENVIRONMENTAL PROTECT.	
	006 EXECUTIVE & SUPPORT-OTPS	-992,318
827	DEPARTMENT OF SANITATION	
	110 WASTE DISPOSAL-OTPS	-39,133,051
836	DEPARTMENT OF FINANCE	
	001 ADMINISTRATION & PLANNING	-906,221
	002 OPERATIONS	-84,351
	011 ADMINISTRATION-OTPS	-188,000
	022 OPERATIONS-OTPS	-99,000
	033 PROPERTY-OTPS	-35,000
	055 LEGAL-OTPS	-1,000
	077 PARKING VIOLATIONS BUREAU OTPS	
		-5,000
841	DEPARTMENT OF TRANSPORTATION	
	003 TRANSIT OPERATIONS	-2,539,600

FROM

856	DEPARTMENT OF CITYWIDE ADMIN SERVICE	
	190 EXECUTIVE AND OPERATIONS SUPPORT – OTPS	-321,741
858	DEPARTMENT OF INFO TECH & TELECOMM	
	001 PERSONAL SERVICES	-5,906,765
866	DEPARTMENT OF CONSUMER AFFAIRS	
	002 LICENSING/ENFORCEMENT	-58,657
	004 ADJUDICATION	-903,597
		-1,427,152.336

TO

002	MAYORALTY	
	020 OFFICE OF THE MAYOR-PS	697,574
	021 OFFICE OF THE MAYOR-OTPS	385,000
	041 OFFICE OF MGMT AND BUDGET-OTPS	125,000
	061 OFF OF LABOR RELATIONS-PS	109,100
	380 OFFICE OF OPERATIONS-PS	5,000
008	OFFICE OF THE ACTUARY	
	200 OTHER THAN PERSONAL SERVICE	125,000
012	BOROUGH PRESIDENT - BROOKLYN	
	001 PERSONAL SERVICES	75,750
013	BOROUGH PRESIDENT - QUEENS	
	001 PERSONAL SERVICES	20,000
015	OFFICE OF THE COMPTROLLER	
	008 THIRD DEPUTY COMPT-OTPS	523,000
017	DEPARTMENT OF EMERGENCY MANAGEMENT	
	001 PERSONAL SERVICES	78,608
021	OFFICE OF ADMINISTRATIVE TAX APPEALS	
	001 PERSONAL SERVICES	56,066
025	LAW DEPARTMENT	
	002 OTHER THAN PERSONAL SERVICES	7,314,125
030	DEPARTMENT OF CITY PLANNING	
	002 OTHER THAN PERSONAL SERVICES	900,000
032	DEPARTMENT OF INVESTIGATION	
	001 PERSONAL SERVICES	742,500
	002 OTHER THAN PERSONAL SERVICES	52,500
038	BROOKLYN PUBLIC LIBRARY	
	001 LUMP SUM	298,428
039	QUEENS BOROUGH PUBLIC LIBRARY	
	001 LUMP SUM	133,228

TO

040	DEPARTMENT OF EDUCATION	
402	GE INSTR & SCH LEADERSHIP - OTPS	1,577,844
415	SCHOOL SUPPORT ORGANIZATION	2,988,917
416	School Support Organization OTPS	2,677,419
423	SE INSTRUCTIONAL SUPPORT - PS	1,005,102
424	SE INSTRUCTIONAL SUPPORT - OTPS	1,756,850
435	SCHOOL FACILITIES - PS	1,925,151
436	SCHOOL FACILITIES - OTPS	18,714,851
440	SCHOOL FOOD SERVICES - OTPS	1,107,403
442	SCHOOL SAFETY - OTPS	71,000
453	CENTRAL ADMINISTRATION - PS	4,028,062
454	CENTRAL ADMINISTRATION - OTPS	10,655,532
461	FRINGE BENEFITS - PS	10,169,186
042	CITY UNIVERSITY OF NEW YORK	
001	COMMUNITY COLLEGE-OTPS	236,346
054	CIVILIAN COMPLAINT REVIEW BOARD	
001	CCRB-PS	545,500
002	CCRB-OTPS	251,956
056	POLICE DEPARTMENT	
001	OPERATIONS	26,548,831
002	EXECUTIVE MANAGEMENT	4,474,050
003	SCHOOL SAFETY- P.S.	191,721
004	ADMINISTRATION-PERSONNEL	2,250,495
006	CRIMINAL JUSTICE	781,399
007	TRAFFIC ENFORCEMENT	6,150,713
008	TRANSIT POLICE-PS	1,973,183
009	HOUSING POLICE-PS	1,622,374
100	OPERATIONS - OTP S	10,344,039
200	EXECUTIVE MANAGEMENT-OTPS	1,000,000

TO

056	POLICE DEPARTMENT	
	400 ADMINISTRATION-OTPS	7,397,666
057	FIRE DEPARTMENT	
	001 EXECUTIVE ADMINISTRATIVE	283,994
	002 FIRE EXTING AND EMERG RESP	57,805,411
	004 FIRE PREVENTION	55,249
	005 EXECUTIVE ADMIN-OTPS	2,555,888
	006 FIRE EXTING & RESP-OTPS	128,058
	008 FIRE PREVENTION-OTPS	1,350
	009 EMERGENCY MEDICAL SERVICES-PS	6,256,503
	010 EMERGENCY MEDICAL SERV-OTPS	566,321
068	ADMIN FOR CHILDREN'S SERVICES	
	008 JUVENILE JUSTICE - OTPS	1,960,256
069	DEPARTMENT OF SOCIAL SERVICES	
	101 ADMINISTRATION-OTPS	2,279,547
	103 PUBLIC ASSISTANCE - OTPS	33,179,013
	105 ADULT SERVICES - OTPS	3,034,218
	205 ADULT SERVICES	277,742
071	DEPARTMENT OF HOMELESS SERVICES	
	100 DEPT OF HOMELESS SERVICES-PS	13,001,780
	200 DEPT OF HOMELESS SERVICES-OTPS	49,795,751
072	DEPARTMENT OF CORRECTION	
	001 ADMINISTRATION	8,992,274
	002 OPERATIONS	42,181,328
	003 OPERATIONS - OTPS	11,350,139
	004 ADMINISTRATION - OTPS	2,797,860
095	PENSION CONTRIBUTIONS	
	001 CITY ACTUARIAL PENSIONS	596,493,620
098	MISCELLANEOUS	
	005 INDIGENT DEFENSE SERVICES	2,086,414

TO

098	MISCELLANEOUS	
	002 GENERAL RESERVE	21,185,369
102	CITY COUNCIL	
	001 COUNCIL MEMBERS	1,534,000
103	CITY CLERK	
	002 OTHER THAN PERSONAL SERVICES	35,672
125	DEPARTMENT FOR THE AGING	
	002 COMMUNITY PROGRAMS - PS	132,500
126	DEPARTMENT OF CULTURAL AFFAIRS	
	001 OFFICE OF COMMISSIONER-PS	13,698
	002 OFFICE OF COMMISSIONER - OTPS	120,019
	020 SNUG HARBOR CULTURAL CENTER	199,000
132	INDEPENDENT BUDGET OFFICE	
	001 PERSONAL SERVICE	102,414
156	NYC TAXI AND LIMOUSINE COMM	
	001 PERSONAL SERVICE	9,973
226	COMMISSION ON HUMAN RIGHTS	
	002 OTHER THAN PERSONAL SERVICES	171,600
	004 COMM DEVELOP OTPS	783,253
260	DEPARTMENT OF YOUTH & COMMUNITY DEV	
	005 COMMUNITY DEVELOPMENT OTPS	151,000
341	MANHATTAN COMMUNITY BOARD #1	
	001 PERSONAL SERVICES	4,016
342	MANHATTAN COMMUNITY BOARD #2	
	001 PERSONAL SERVICES	4,016
343	MANHATTAN COMMUNITY BOARD #3	
	001 PERSONAL SERVICES	4,016
344	MANHATTAN COMMUNITY BOARD #4	
	001 PERSONAL SERVICES	4,016
	003 RENT	551

TO

345	MANHATTAN COMMUNITY BOARD #5	
	001 PERSONAL SERVICES	4,016
346	MANHATTAN COMMUNITY BOARD #6	
	001 PERSONAL SERVICES	4,016
	003 RENT	289
347	MANHATTAN COMMUNITY BOARD #7	
	001 PERSONAL SERVICES	733
348	MANHATTAN COMMUNITY BOARD #8	
	001 PERSONAL SERVICES	4,016
	003 RENT AND ENERGY	841
349	MANHATTAN COMMUNITY BOARD #9	
	001 PERSONAL SERVICES	4,016
350	MANHATTAN COMMUNITY BOARD #10	
	001 PERSONAL SERVICES	4,016
	003 RENT	743
351	MANHATTAN COMMUNITY BOARD #11	
	001 PERSONAL SERVICES	4,016
	003 RENT AND ENERGY	371
352	MANHATTAN COMMUNITY BOARD #12	
	001 PERSONAL SERVICES	4,016
	003 RENT	428
381	BRONX COMMUNITY BOARD #1	
	001 PERSONAL SERVICES	4,016
	003 RENT	5,684
382	BRONX COMMUNITY BOARD #2	
	001 PERSONAL SERVICES	4,016
	003 RENT AND ENERGY	287
383	BRONX COMMUNITY BOARD #3	
	003 RENT	123

TO

384	BRONX COMMUNITY BOARD #4 001 PERSONAL SERVICES	4,016
385	BRONX COMMUNITY BOARD #5 001 PERSONAL SERVICES	101
386	BRONX COMMUNITY BOARD #6 001 PERSONAL SERVICES	4,016
387	BRONX COMMUNITY BOARD #7 001 PERSONAL SERVICES	4,016
388	BRONX COMMUNITY BOARD #8 001 PERSONAL SERVICES	4,016
389	BRONX COMMUNITY BOARD #9 001 PERSONAL SERVICES	4,016
390	BRONX COMMUNITY BOARD #10 001 PERSONAL SERVICES	4,016
391	BRONX COMMUNITY BOARD #11 001 PERSONAL SERVICES 003 RENT	4,016 197
392	BRONX COMMUNITY BOARD #12 001 PERSONAL SERVICES	4,016
431	QUEENS COMMUNITY BOARD #1 001 PERSONAL SERVICES	4,016
432	QUEENS COMMUNITY BOARD #2 001 PERSONAL SERVICES	4,016
433	QUEENS COMMUNITY BOARD #3 001 PERSONAL SERVICES	4,016
434	QUEENS COMMUNITY BOARD #4 001 PERSONAL SERVICES	4,016
435	QUEENS COMMUNITY BOARD #5 001 PERSONAL SERVICES	4,016
436	QUEENS COMMUNITY BOARD #6 001 PERSONAL SERVICES	4,016

TO

437	QUEENS COMMUNITY BOARD #7 001 PERSONAL SERVICES	4,016
438	QUEENS COMMUNITY BOARD #8 001 PERSONAL SERVICES	4,016
439	QUEENS COMMUNITY BOARD #9 001 PERSONAL SERVICES	4,016
440	QUEENS COMMUNITY BOARD #10 001 PERSONAL SERVICES	4,016
441	QUEENS COMMUNITY BOARD #11 001 PERSONAL SERVICES	4,016
442	QUEENS COMMUNITY BOARD #12 001 PERSONAL SERVICES	4,016
443	QUEENS COMMUNITY BOARD #13 001 PERSONAL SERVICES	4,016
444	QUEENS COMMUNITY BOARD #14 001 PERSONAL SERVICES	4,016
471	BROOKLYN COMMUNITY BOARD #1 001 PERSONAL SERVICES	4,016
472	BROOKLYN COMMUNITY BOARD #2 001 PERSONAL SERVICES	4,016
473	BROOKLYN COMMUNITY BOARD #3 001 PERSONAL SERVICES	4,016
474	BROOKLYN COMMUNITY BOARD #4 001 PERSONAL SERVICES	4,016
475	BROOKLYN COMMUNITY BOARD #5 001 PERSONAL SERVICES	4,016
476	BROOKLYN COMMUNITY BOARD #6 001 PERSONAL SERVICES	4,016
477	BROOKLYN COMMUNITY BOARD #7 001 PERSONAL SERVICES	4,016

TO

478	BROOKLYN COMMUNITY BOARD #8 001 PERSONAL SERVICES	4,016
479	BROOKLYN COMMUNITY BOARD #9 001 PERSONAL SERVICES	4,016
480	BROOKLYN COMMUNITY BOARD #10 001 PERSONAL SERVICES	4,016
481	BROOKLYN COMMUNITY BOARD #11 001 PERSONAL SERVICES	4,016
482	BROOKLYN COMMUNITY BOARD #12 001 PERSONAL SERVICES	4,016
483	BROOKLYN COMMUNITY BOARD #13 001 PERSONAL SERVICES 003 RENT	4,016 416
484	BROOKLYN COMMUNITY BOARD #14 001 PERSONAL SERVICES	4,016
485	BROOKLYN COMMUNITY BOARD #15 001 PERSONAL SERVICES	4,016
486	BROOKLYN COMMUNITY BOARD #16 001 PERSONAL SERVICES	4,016
487	BROOKLYN COMMUNITY BOARD #17 001 PERSONAL SERVICES 003 RENT AND ENERGY	4,016 3,537
488	BROOKLYN COMMUNITY BOARD #18 001 PERSONAL SERVICES	4,016
491	STATEN ISLAND COMMUNITY BOARD #1 001 PERSONAL SERVICES	4,016
492	STATEN ISLAND COMMUNITY BOARD #2 001 PERSONAL SERVICES	4,016
493	STATEN ISLAND COMMUNITY BOARD #3 001 PERSONAL SERVICES	4,016

TO

781	DEPARTMENT OF PROBATION	
	001 EXECUTIVE MANAGEMENT	101,058
	002 PROBATION SERVICES	27,447
801	DEPARTMENT OF SMALL BUSINESS SERVICES	
	001 DEPT. OF BUSINESS P.S.	422,500
	002 DEPT. OF BUSINESS O.T.P.S.	29,335,97
	006 ECONOMIC DEVELOPMENT CORP.	4,794,302
806	HOUSING PRESERVATION AND DEVELOPMENT	
	001 OFFICE OF ADMINISTRATION	2,775,905
	004 OFFICE OF HOUSING PRESERVATION	168,916
	006 HOUSING MAINTENANCE AND SALES	87,199
	008 OFFICE OF ADMINISTRATION OTPS	1,004,425
	009 OFFICE OF DEVELOPMENT OTPS	46,775,59
	011 OFFICE OF HOUSING PRESERVATION	4,256,713
810	DEPARTMENT OF BUILDINGS	
	001 PERSONAL SERVICES	451,000
	002 OTHER THAN PERSONAL SERVICES	155,000
816	DEPARTMENT OF HEALTH AND MENTAL HYGIENE	
	101 HEALTH ADMINISTRATION - PS	175,847
	108 MENTAL HYGIENE MANAGEMENT SERVICES - PS	1,461,837
	109 EPIDEMIOLOGY - PS	766,143
	111 HEALTH ADMINISTRATION - OTPS	796,138
	112 DISEASE CONTROL - OTPS	319,344
	114 ENVIRONMENTAL HEALTH - OTPS	528,309
	116 OFFICE OF CHIEF MEDICAL EXAMINER - OTPS	1,417,135
	118 MENTAL HYGIENE MANAGEMENT SERVICES- OTPS	6,441,393
	122 CHEMICAL DEPENDENCY AND HEALTH PROMOTION	344,280
819	HEALTH AND HOSPITALS CORP	
	001 LUMP SUM	23,145,373

TO

826	DEPARTMENT OF ENVIRONMENTAL PROTECT.	
	002 ENVIRONMENTAL MANAGEMENT	46,000
	003 WATER SUP. & WASTEWATER COLL	749,625
	004 UTILITY - OTPS	37,574,718
	005 ENVIRONMENTAL MANAGEMENT -OTPS	2,124,736
827	DEPARTMENT OF SANIATION	
	101 EXECUTIVE ADMINISTRATIVE	56,250
	102 CLEANING & COLLECTION	624,044
	104 BUILDING MANAGEMENT	148,930
	106 EXEC & ADMINISTRATIVE-OTPS	2,319,742
	109 CLEANING & COLLECTION-OTPS	7,041,075
829	BUSINESS INTEGRITY COMMISSION	
	001 PERSONAL SERVICES	3 8,000
	002 OTHER THAN PERSONAL SERVICES	37,718
836	DEPARTMENT OF FINANCE	
	004 AUDIT	522,483
	005 LEGAL	49,000
	009 CITY SHERIFF	662,756
	044 AUDIT-OTPS	106,000
	099 CITY SHERIFF-OTPS	216,000
841	DEPARTMENT OF TRANSPORTATION	
	001 EXEC ADM & PLANN MGT.	682,204
	002 HIGHWAY OPERATIONS	499,048
	004 TRAFFIC OPERATIONS	849,114
	006 BUREAU OF BRIDGES	161,726
	011 OTPS-EXEC AND ADMINISTRATION	56,350
	012 OTPS-HIGHWAY OPERATIONS	1,506,021
	014 OTPS-TRAFFIC OPERATIONS	3,946,658
846	DEPARTMENT OF PARKS AND RECREATION	
	002 MAINTENANCE & OPERATIONS	1,920,270

TO

846	DEPARTMENT OF PARKS AND RECREATION	
	004 RECREATION SERVICES	10,106
	006 MAINT & OPERATIONS - OTPS	1,315,500
850	DEPARTMENT OF DESIGN & CONSTRUCTION	
	002 OTHER THAN PERSONAL SERVICES	247,053
856	DEPARTMENT OF CITYWIDE ADMIN SERVICE	
	001 HUMAN CAPITAL	286,306
	002 HUMAN CAPITAL	35,362
	006 BD. OF STANDARD & APPEAL OTPS	20,527
	100 EXECUTIVE AND OPERATIONS SUPPORT	162,500
	200 DIV OF ADMINISTRATION AND SECURITY - PS	1,087,945
	290 DIV OF ADMINISTRATION AND SECURITY- OTPS	5,132,500
	300 ASSET MANAGEMENT-PUBLIC FACILITIES	1,541,282
	390 ASSET MANAGEMENT-PUBLIC FACILITIES-OTPS	3,692,380
	490 OFFICE OF CITYWIDE PURCHASING - OTPS	156,000
	800 CITYWIDE FLEET SERVICES	55,000
	890 CITYWIDE FLEET SERVICES - OTPS	2,971,333
858	DEPARTMENT OF INFO TECH & TELECOMM	
	002 OTHER THAN PERSONAL SERVICES	30,136,932
860	DEPARTMENT OF RECORDS & INFORMATION SVS	
	100 PERSONAL SERVICES	315,000
	200 OTHER THAN PERSONAL SERVICES	193,326
866	DEPARTMENT OF CONSUMER AFFAIRS	
	003 OTHER THAN PERSONAL SERVICE	163,539
901	DISTRICT ATTORNEY NEW YORK COUNTY	
	002 OTHER THAN PERSONAL SERVICES	55,665
943	PUBLIC ADMINISTRATOR-KINGS COUNTY	
	001 PERSONAL SERVICES	36,901
		1,427,152,336

TO

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JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 22, 2016.

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 M-385 & Res No. 1016

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the Appropriation of new revenues of \$982 million in Fiscal Year 2016, pursuant to Section 107(e) of the New York City Charter (MN-5).

The Committee on Finance, to which the annexed preconsidered communication was referred on March 22, 2016 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on March 22, 2016, the Council considered a communication, from the Office of Management and Budget of the Mayor, dated March 17, 2016, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2016 Expense Budget, and the revenue estimate related thereto prepared by the Mayor as of March 17, 2016.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 26, 2015, the Council adopted the expense budget for fiscal year 2016 (the "Fiscal 2016 Expense Budget"). On December 11, 2015, the Mayor submitted to the Council a revenue estimate related to the Fiscal 2016 Expense Budget. On October 29, 2015, the Council adopted MN-1 modifying the Fiscal 2016 Expense Budget. On December 16, 2015 the Council adopted MN-2 modifying the Fiscal 2016 Expense Budget and MN-3 which appropriated new revenues.

Circumstances have changed since the Council last amended the Fiscal 2016 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues from any source other than categorical federal, state and private funding or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2016 Expense Budget and related revenue estimate requested in the communication.

This modification (MN-5) seeks to increase revenues in the net amount of \$982 million compared to the Fiscal 2016 November Plan. This represents an increase in City funds of approximately 1.69 percent.

MN-5 is the second revenue modification of Fiscal 2016 and it reflects changes since the November Plan which are outlined in the January Plan.

MN-5 recognizes \$982 million in new revenues, including \$873 million from tax revenue, \$105 million from miscellaneous revenues, and \$4 million from unrestricted intergovernmental aid.

For Fiscal 2016, tax revenue collections are increased by \$873 million above the November Plan. This is largely due to a \$282 million increase from the personal income tax, a \$120 million increase from the real property tax, \$100 million from the real property transfer and mortgage recording taxes, \$76 million from the sales tax, and a \$255 million increase in audits.

For Fiscal 2016, miscellaneous revenue is up \$105 million, mostly due to a \$95.5 million increase from the Tobacco Settlement, \$74 million from deferred prosecution settlements, \$25 million from sale of streets, and \$26 million from property sales. This was offset by \$172 million in reduced revenues from foregoing debt service reimbursement from Health and Hospitals.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2016 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Melissa Mark-Viverito
Speaker

Honorable Julissa Ferreras-Copeland
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division
Rebecca Chasan, Assistant Counsel, Finance Division
Paul Sturm, Unit Head, Finance Division

DATE: March 22, 2016

SUBJECT: A Budget Modification (MN-5) for Fiscal 2016 that will appropriate \$982 million in new revenues.

INITIATION: By letter dated March 17, 2016 the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$982 million in new revenues. These new revenues,

combined with additional resources of \$400 million of Prior Year Payables, and a reduction of \$778 million from the General Reserve will be used to increase the Budget Stabilization Account by \$2.160 billion.

BACKGROUND: This modification (MN-5) seeks to recognize \$982 million in new revenues, combines \$400 million in Prior Year Payables, and reduces the General Reserve by \$778 million, implementing changes reflected in the 2016 January Financial Plan. Of these funds, the total amount of \$2.160 billion is added to the Budget Stabilization Account, which will prepay debt service for Fiscal 2017.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2016 budget of \$982 million.

Accordingly, this Committee recommends its adoption.

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

Res. No. 1016

RESOLUTION APPROVING A MODIFICATION (MN-5) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Ferreras-Copeland.

Whereas, At a meeting the Committee on Finance of the City Council of the City of New York (the "City Council") on March 22, 2016, the Committee on Finance considered a communication, dated March 17, 2016, from the Mayor's Office of Management and Budget, of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

Whereas, Section 107(e) of the Charter requires the City Council and the Mayor to follow the procedures and required approvals pursuant to Sections 254, 255, and 256 of the Charter, without regard to the dates specified therein, in the case of the proposed appropriation of any new revenues and the creation of new units of appropriation; and

Whereas, Section 107(e) of the Charter requires that any request by the Mayor respecting an amendment of the budget that involves an increase in the budget shall be accompanied by a statement of the source of current revenues or other identifiable and currently available funds required for the payment of such additional amounts, attached hereto as Exhibit B (together with the Request to Appropriate, the "Revenue Modification");

NOW, THEREFORE, The Council of the City of New York hereby resolves as follows:

1. Approval of Modification. The City Council hereby approves the Revenue Modification pursuant to Section 107(e) of the Charter.

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2016 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

3. Effective Date. This resolution shall take effect as of the date hereof.

ATTACHMENT:

The City of New York

Office of Management and Budget

255 Greenwich Street - New York, New York 10007 - 2146

(212) 788-5900

Dean Fuleihan

March 17, 2016

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new revenues of \$ 982 million in fiscal year 2016.

This modification (MN-5) will implement revenue budget changes reflected in the City's January Financial Plan. The \$ 982 million of new revenues combined with additional resources of \$ 400 million of Prior Year Payables and the reduction of \$ 778 million to the General Reserve will be used to increase the Budget Stabilization Account by \$2.160 billion to prepay fiscal year 2017 debt service in fiscal year 2016.

Your approval of modification MN-5 is respectfully requested.

Sincerely

A handwritten signature in cursive script, appearing to read "Fuleihan".

Dean Fuleihan

FISCAL YEAR 2016 MODIFICATION**MN-5**

098 Miscellaneous	
002 General Reserve	\$ -777,662,980
099 Debt Service	
004 Budget Stabilization Account	\$ 2,159,736,270
TOTAL	<u>\$ 1,382,073,290</u>

JULISSA FERRERAS-COPELAND, *Chairperson*; YDANIS A. RODRIGUEZ, JAMES G. VAN BRAMER, VANESSA L. GIBSON, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, COREY D. JOHNSON, MARK LEVINE, I. DANEEK MILLER, HELEN K. ROSENTHAL, STEVEN MATTEO; Committee on Finance, March 22, 2016.

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 Health

Report for Int No. 1068-A

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York,

The Committee on Health, to which the annexed proposed amended local law was referred on February 5, 2016 (Minutes, page 320), respectfully

REPORTS:

I. INTRODUCTION

Today, the Committee on Health, chaired by Council Member Corey Johnson, will hold a hearing on Proposed Int. No. 1068-A, sponsored by Council Member Johnson, which would prohibit the use of smokeless tobacco at sports arenas and recreation areas that issue tickets. This bill was previously heard in this Committee on February 25, 2016.

II. BACKGROUND

Smokeless tobacco includes chewing tobacco (dry tobacco leaves), snuff (finely ground tobacco that can be dry or moist), snus (moist snuff that is usually flavored), and dissolvable tobacco (flavored, dissolvable tobacco that often looks like candy). According to the American Cancer Society, “smokeless tobacco is a less lethal, but still unsafe, alternative to smoking.”

¹ Smokeless tobacco use substantially increases the risk of oral and pancreatic cancer, gum disease, nicotine addiction, and initiation of cigarette smoking among adolescents.² Adolescent smokeless tobacco users are also more likely than nonusers to become cigarette smokers.³

Use of smokeless tobacco declined in the late 1990s, but the declines appear to have stalled in recent years. The latest data show the use of smokeless tobacco is increasing among white high school males.⁴ Data from national Youth Risk Behavior Surveys indicate that use of any tobacco product by high school students in the United States declined from 33.9 percent in 2001 to 22.4 percent in 2013; however, current smokeless tobacco use increased among high school athletes.⁵

Nearly 15 percent of high school males in the United States currently use smokeless tobacco, with higher prevalence among those in organized sports.⁶ Competitive organized baseball, including professional leagues, exhibits exceptionally high levels of smokeless tobacco use among its players, even though there is little evidence that it improves athletic performance.⁷ The Center for Tobacco Control Research and Education at the University of California finds that on-camera use at the major league level can be viewed as an implicit product endorsement to children and adolescents.⁸ This is especially concerning because the modeling of smokeless tobacco use by family, friends, respected coaches, and elite athletes is strongly associated with smokeless tobacco initiation among adolescent males.⁹

¹ American Cancer Society, *Health Risks of Smokeless Tobacco*, <http://www.cancer.org/cancer/cancercauses/tobaccocancer/smokeless-tobacco>

² Benjamin W. Chaffee et al., *Smokeless Tobacco in Sports and Use Among Adolescents*, Center for Tobacco Control Research and Education: The University of California (Apr. 10, 2015) <http://escholarship.org/uc/item/6rc6v9t2>

³ Office of the Surgeon General, *supra*, note

⁴ *Id.*

⁵ Centers for Disease Control and Prevention, *Combustible and Smokeless Tobacco Use Among High School Athletes — United States, 2001–2013*, Morbidity and Mortality Weekly Report (Sept. 4, 2015) <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6434a2.htm>

⁶ Chaffee, *supra* note.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

III. ANALYSIS OF PROPOSED INT. NO. 1068-A

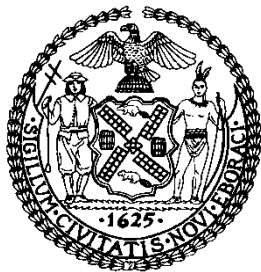
Proposed Int. No. 1068-A would amend the Smoke Free Air Act to prohibit the use of smokeless tobacco products at sports stadiums and arenas that host ticketed events. This prohibition would apply at all times. Smokeless tobacco is defined in the bill as “any tobacco product that is intended for any oral or nasal use other than smoking. Examples of smokeless tobacco include but are not limited to snuff, chewing tobacco, dipping tobacco, dissolvable tobacco products and snus.”

The requirement that signage indicating that an area is non-smoking would be amended to include language stating, “Use of Tobacco Products Prohibited” or “No Tobacco Use Permitted” in those areas in which smokeless tobacco is not allowed. Other provisions of the Smoke Free Air Act, such as the requirement that the operator of a covered location designate an agent to inform people that smoking is not permitted, would be updated by this bill to provide for similar processes and language with respect to smokeless tobacco where applicable. The penalties for the violation of this bill would be identical to that of the existing provisions of the Smoke Free Air Act that apply to smoked tobacco products.

Proposed Int. No. 1068-A would take effect immediately, except for a provision requiring amended signage in areas in which smokeless tobacco is prohibited, which would go into effect 120 days enactment.

The changes to Proposed Int. No. 1068-A since it was originally heard on February 25, 2016 were primarily technical in nature. The substantive changes were that smokeless tobacco education was added to the existing provision of the Smoke Free Air Act that requires the Department of Health and Mental Hygiene to provide education about the law and to provide assistance with those who want to comply with the law or quit using tobacco products or e-cigarettes. The effective date was also amended from 120 days to immediately, with the exception of the signage requirement discussed above, for which the effective date remains 120 days from enactment.

(The following is the text of the Fiscal Impact Statement for Int No. 1068-A:)



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

PROPOSED INTRO. NO: 1068-A

COMMITTEE: Committee on Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to prohibiting the use of smokeless tobacco at sports arenas and recreational areas that issue tickets.

SPONSOR(S): Council Members Johnson, Palma, Rodriguez, and Gentile

SUMMARY OF LEGISLATION: The proposed legislation would prohibit the use of smokeless tobacco, meaning any tobacco product that is intended for any oral or nasal use other than smoking, at all times at sports arenas and recreational areas that issue tickets. The owner, operator, manager, or other person having control of such establishments would be required to conspicuously post signs indicating that the use of tobacco is not permitted and designate an individual who would be responsible for informing those using smokeless tobacco in restricted areas that they are in violation of the law. . Furthermore, the legislation would prohibit the owner from designating a separate room for using smokeless tobacco.

In addition, the Department of Health and Mental Hygiene (DOHMH) would continue to educate the public about tobacco regulations by adding “smokeless tobacco” when assisting individuals who want to stop using

tobacco products. DOHMH would also enforce the provisions of this law by issuing notices of violations to alleged violators of the law.

EFFECTIVE DATE: This legislation would take effect immediately, except that the provision relating to the posting of signs would take effect 120 days after it becomes law. DOHMH would take actions necessary for the timely implementation of this local law, including the promulgation of rules.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY 17	Full Fiscal Impact FY 17
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures as a result of this legislation because under the proposed law the owner, operator, manager, or other person having control of the sports arena, recreational area, or other establishment would be responsible for posting the signage and informing patrons. The legislation does not stipulate the hiring of any additional staff to enforce the proposed legislation.

The Department would incorporate smokeless tobacco into its ongoing education and secession campaigns, utilizing existing resources and, therefore, not incurring any new costs.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Jeanette Merrill, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director, NYC Council Finance Division
Crielhien R. Francisco, Unit Head, NYC Council Finance Division
Rebecca Chasan, Assistant Counsel, NYC Council Finance Division
Tanisha Edwards, Chief Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on February 5, 2016 as Intro. 1068 and was referred to the Committee on Health. The Committee held a hearing on February 25, 2016 and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 1068-A, will be considered by the Committee on March 21, 2016. Upon successful vote by the Committee, Proposed Intro. 1068-A will be submitted to the full Council for a vote on March 22, 2016.

DATE PREPARED: March 17, 2016

(The following is the text of Int No. 1068-A:)

Int. No. 1068-A

By Council Members Johnson, Palma, Rodriguez, Gentile, Van Bramer, Garodnick and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of smokeless tobacco at sports arenas and recreational areas that issue tickets.

Be it enacted by the Council as follows:

Section 1. Section 17-502 of the administrative code of the city of New York is amended by adding a new subdivision ss to read as follows:

ss. "Smokeless tobacco" means any tobacco product that is intended for any oral or nasal use other than smoking. Examples of smokeless tobacco include but are not limited to snuff, chewing tobacco, dipping tobacco, dissolvable tobacco products and snus.

§ 2. Chapter 5 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-503.1 to read as follows:

§ 17-503.1 Prohibition of using smokeless tobacco at sports arenas and recreational areas that issue tickets. Using smokeless tobacco is prohibited at all times at sports arenas and recreational areas if seating or standing room is assigned by issuance of tickets for any event held at such arenas and areas.

§ 3. Subdivision a of section 17-506 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

a. Except as may otherwise be provided by rules promulgated by the commissioner, "Smoking" or "No Smoking" signs[,] or the international symbols indicating the same, "Electronic Cigarette Use Permitted" or "Electronic Cigarette Use Prohibited" signs, [and] "*No Tobacco Use Permitted*" or "*Use of Tobacco Products Prohibited*" signs, or any other signs necessary to comply with the provisions of this chapter, *as applicable*, shall be prominently and conspicuously posted where smoking, [and] using electronic cigarettes, [are] *or using smokeless tobacco is* either prohibited, permitted or otherwise regulated by this chapter, by the owner, operator, manager or other person having control of such area. The size, style and location of such signs shall be determined in accordance with rules promulgated by the commissioner, but in promulgating such rules, the commissioner shall take into consideration the concerns of the various types of establishments regulated herein with respect to the style and design of such signs.

§ 4. Subdivision c of section 17-507 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

c. With respect to a public place or place of employment, the operator or employer shall inform, or shall designate an agent who shall be responsible for informing, individuals smoking, [or] using electronic cigarettes, *or using smokeless tobacco* in restricted areas that they are in violation of this local law; provided, however, that the obligations under this subdivision with respect to an operator of a multiple dwelling containing ten or more dwelling units shall be limited to (i) those multiple dwellings where an agent is on duty and (ii) designating such agent to be responsible for informing individuals smoking, or using electronic cigarettes, in restricted common indoor areas where such agent is on duty, during the times such agent is on duty, that such individuals are in violation of this local law.

§ 5. Section 17-507 of the administrative code of the city of New York is amended by adding a new subdivision d-1 to read as follows:

d-1. Where an owner or building manager of a sports arena or recreational area where using smokeless tobacco is prohibited pursuant to section 17-503.1 is not the operator of such arena or area but has an agent on duty in such arena or area, the owner or building manager shall designate such agent to inform individuals using smokeless tobacco (i) where such agent is on duty and (ii) during the times when such agent is on duty, that such individuals are in violation of this local law.

§ 6. Subdivision a of section 17-508 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

a. It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of premises in which smoking, [and] using electronic cigarettes, [are] *or using smokeless tobacco is* prohibited or restricted pursuant to this chapter, or the designated agent thereof, to (i) provide a room designated for

smoking, or using electronic cigarettes, including, but not limited to, a separate smoking room, room for using electronic cigarettes or an enclosed room, which fails to comply with the provisions of this chapter; provided, however, that the obligations of an owner or building manager of a building (where such owner or building manager of a building in which a public place is located is not the operator or employer of such public place) with respect to such a room shall be limited to work authorized by any permits necessary to perform construction obtained by the owner or his or her agent; (ii) fail to post the signs required by section 17-506; (iii) fail to remove ashtrays as required by subdivision d of section 17-506; or (iv) fail to make a good faith effort to comply with subdivisions c, d [and], *d-1*, and e of section 17-507. In actions brought for violations of this subdivision, the following shall be affirmative defenses: (i) that during the relevant time period actual control of the premises was not exercised by the respondent or a person under the control of the respondent, but rather by a lessee, sublessee or any other person; provided, however, that after receiving the notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that he or she has not exercised actual control during the relevant time period; (ii) that a person smoking, [or] using an electronic cigarette, *or using smokeless tobacco* in any area where [smoking, and using electronic cigarettes, are] *such activity is* prohibited pursuant to section 17-503 *or section 17-503.1* was informed by a person who owns, manages, operates or otherwise controls the use of such premises, or the designated agent thereof, that such person smoking, [or] using an electronic cigarette, *or using smokeless tobacco* is in violation of this local law and that such person who owns, manages, operates or otherwise controls the use of such premises has complied with all applicable provisions of this chapter during the relevant time period; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that respondent informed the person smoking, [or] using an electronic cigarette, *or using smokeless tobacco* in any area where [smoking, and using electronic cigarettes, are] *such activity is* prohibited pursuant to section 17-503 *or section 17-503.1* that such person was in violation of this local law and that respondent has complied with all applicable provisions of this chapter during the relevant time period; or (iii) that a person smoking, or using an electronic cigarette, in any restricted common indoor area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 was not informed by the owner or building manager of the premises (where such owner or building manager of a building in which a public place or a place of employment is located is not the operator or employer of such public place or place of employment) or by the operator of a multiple dwelling containing ten or more dwelling units that such person smoking, or using an electronic cigarette, is in violation of this local law because such owner, building manager or operator did not have a designated agent on duty when such person was smoking, or using an electronic cigarette, and that such owner or building manager has, where applicable, complied with the mailing of a notice required pursuant to subdivision e of section 17-507; provided, however, that after receiving notice of violation, the respondent submits to the department within five business days, by certified mail, a sworn affidavit and other such proof as may be necessary, indicating that a person smoking, or using an electronic cigarette, in any restricted common indoor area where smoking, and using electronic cigarettes, are prohibited pursuant to section 17-503 was not informed by the respondent that such person smoking, or using an electronic cigarette, is in violation of this local law because the respondent did not have a designated agent on duty when such person was smoking, or using an electronic cigarette, and that the respondent has, where applicable, mailed the notice required pursuant to subdivision e of section 17-507.

§ 7. Subdivision d of section 17-508 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

d. It shall be unlawful for any person to smoke, [or] use an electronic cigarette, *or use smokeless tobacco* in any area where [smoking, and using electronic cigarettes, are] *such activity is* prohibited under section 17-503 [and], *section 17-503.1* or section 17-504.

§ 8. Section 17-510 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

§ 17-510 Public education. The department shall engage in a continuing program to explain and clarify the provisions and purposes of this chapter and shall provide assistance to those persons who seek to comply, and to those who want to stop smoking, [or] using electronic cigarettes, *or using smokeless tobacco*.

§ 9. Subdivisions a, b and d of section 17-512 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, are amended to read as follows:

a. Nothing in this chapter shall be construed to permit smoking, [or] using electronic cigarettes, *or using smokeless tobacco* where [it] *such activity* is otherwise prohibited by law or regulation.

b. Nothing in this chapter shall be construed to prohibit owners, operators, managers, employers or other persons having control of any establishment subject to this chapter from adopting a smoke-free [and], electronic cigarette-free, *or tobacco-free* policy which completely prohibits smoking, [and] using electronic cigarettes, *or using smokeless tobacco* on the premises of such establishment at all times.

d. Nothing in this chapter shall be construed to preclude owners, operators, managers, employers or other persons having control of any establishment covered by this act from prohibiting smoking, [and] using electronic cigarettes, *or using smokeless tobacco* in such establishment to a greater extent than is provided by this chapter, in accordance with applicable law.

§ 10. Section 17-513.2 of the administrative code of the city of New York, as amended by local law number 152 for the year 2013, is amended to read as follows:

§ 17-513.2 Construction. The provisions of this chapter shall not be interpreted or construed to permit smoking, [or] using electronic cigarettes, *or using smokeless tobacco* where [it] *such activity* is prohibited or otherwise restricted by other applicable laws, rules or regulations.

§ 11. This local law takes effect immediately, except that section three of this local law takes effect 120 days after it becomes law. The department of health and mental hygiene shall take such actions as necessary for the timely implementation of this local law, including the promulgation of rules.

COREY D. JOHNSON, *Chairperson*; ROSIE MENDEZ, JAMES VACCA, MATHIEU EUGENE, PETER A. KOO, JAMES G. VAN BRAMER, RAFAEL L. ESPINAL, Jr.; Committee on Health, March 21 , 2016.
Other Council Members Attending: Gibson.

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

Report of the Committee on Land Use

Report for L.U. No. 334

Report of the Committee on Land Use in favor of Application No. N 160051 ZRY submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create the Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 512), respectfully

REPORTS:

(For text of updated report, please see the Report of the Committee on Land Use for LU No. 334 & Res No. 1022 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, with modifications.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 335

Report of the Committee on Land Use in favor of approving Application No. N 160049 ZRY submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify various sections to change definitions and regulations for bulk and parking.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 513), respectfully

REPORTS:

(For text of updated report, please see the Report of the Committee on Land Use for LU No. 335 & Res No. 1023 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, with modifications.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016

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. 339

Report of the Committee on Land Use in favor of Application No. 20165375 HAX submitted by New York City Department of Housing Preservation and Development pursuant to Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for an amendment to a previously approved real property tax exemption for property located at Block 2283, Lot 33, Borough of the Bronx, Community Board 1, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 514) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX - CB 1

20165375 HAX

Application submitted by the New York City Department of Housing Preservation and Development for the approval of an amendment to a previously approved real property tax exemption pursuant to Subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for property located at (Block 2283, Lot 33), Borough of the Bronx, Community District 1, Council District 8.

INTENT

To amend the previously approved tax exemption in order to provide the property with a full tax exemption from real property taxation from July 1, 2004 through June 30, 2016, and a partial tax exemption from real property taxation effective July 1, 2016 for the balance of the exemption term. This action will allow the HDPC to continue to operate the building as rental housing for low income seniors.

PUBLIC HEARING

DATE: March 15, 2016

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 15, 2016

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Dickens, Mealy, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Torres, Treyger.

Against:

None

Abstain:

None

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

Res No. 1017

Resolution to approve an amendment to a previously approved urban development action area project located at Block 2283, Lot 33, Borough of the Bronx (L.U. No. 339; 20165375 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on February 9, 2016 its request dated February 8, 2016 that the Council approve an amendment to a previously approved tax exemption pursuant to Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law ("Amended Exemption") for property located at Tax Block 2283, Lot 33, Community District 1, Borough of the Bronx (the "Exemption Area");

WHEREAS, the original project was approved by the Board of Estimate on March 18, 1982 (Cal. No. 49), (the "Original Exemption");

WHEREAS, HPD submitted to the Council on February 9, 2016 its request dated February 8, 2016 relating to the tax exemptions for the Exemption Area ("The HPD Request");

WHEREAS, upon due notice, the Council held a public hearing on the Amended Exemption on March 15, 2016;

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

RESOLVED:

The Council approves the Amended Exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law (RPTL) and Section 577 of Article XI of the Private Housing Finance Law (PHFL), and the deletion of the third and fourth "Resolved" Clauses of the Original Project.

3. That the City Council, as the successor in jurisdiction to the Board of Estimate, pursuant to subdivision 1 (a) of Section 422 of the RPTL and Section 577 of Article XI of the PHFL, does hereby approve an exemption from local and municipal taxes, other than assessments for local improvements, of all of the value of the property included in the Housing Project (excluding those portions, if any, devoted to business or commercial use), provided that the Housing Company make annual real estate tax payments commencing upon the Effective Date as hereinafter defined. Commencing upon the Effective Date and during each year thereafter, real estate tax payments shall be made as follows: (i) commencing upon the Effective Date and during each year thereafter until June 30, 2004, payments shall consist of (a) \$26,317, representing the minimum shelter rent taxes, plus (b) 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 the Effective Date; (ii) commencing upon July 1, 2004 and during each year thereafter until June 30, 2016, payments shall consist of \$0; and (iii) commencing upon July 1, 2016 and during each year thereafter until the Expiration Date as hereinafter defined, payments shall consist of (a) \$26,317, plus (b) 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 the Effective Date. In any year in which a real estate tax payment must be made by the Housing Company, the total

annual real estate tax payment in such year shall not exceed the lesser of either seventeen (17%) percent of contract rents, or the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided for by existing or future local law or state legislation for such year.

4. That the required partial real estate tax payment shall first become payable and effective upon the date of issuance (“Effective Date”) of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for the Housing Project. Furthermore, (i) the tax exemption approved herein shall operate and continue for so long as the HUD mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing upon the Effective Date (“Expiration Date”) and (ii) nothing herein shall entitle the Housing Company to a refund of any real property taxes which accrued and were paid with respect to the Housing Project prior to July 1, 2016.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 340

Report of the Committee on Land Use in favor of Application No. 20165376 HAX submitted by New York City Department of Housing Preservation and Development pursuant to Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for an amendment to a previously approved real property tax exemption for property located at 723 Elton Avenue (Block 2377, Lot 20), Borough of the Bronx, Community Board 1, Council District 17.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 514) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX - CB 1

20165376 HAX

Application submitted by the New York City Department of Housing Preservation and Development for the approval of an amendment to a previously approved real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of the Private Housing Finance Law for property located at Block 2377, Lot 20, Borough of the Bronx, Community District 1, Council District 17.

INTENT

To amend the previously approved tax exemption in order to provide the property with a full tax exemption from real property taxation from July 1, 2004 through June 30, 2016, and a partial tax exemption

from real property taxation from July 1, 2016 for the balance of the exemption term. This action will allow the HDFC to continue to operate the building as rental housing for low income seniors.

PUBLIC HEARING

DATE: March 15, 2016

Witnesses in Favor: Three **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 15, 2016

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Dickens, Mealy, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Torres, Treyger.

Against:

None

Abstain:

None

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

Res No. 1018

Resolution to approve an amendment to a previously approved urban development action area project located at Block 2377, Lot 20, Borough of the Bronx (L.U. No. 340; 20165376 HAX).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on February 9, 2016 its request dated February 8, 2016 that the Council approve an amendment to a previously approved tax exemption pursuant to Section 422 of the Real Property Tax Law and

Section 577 of the Private Housing Finance Law (“Amended Exemption”) for property located at Tax Block 2377, Lot 20, Community District 1, Borough of the Bronx (the “Exemption Area”);

WHEREAS, HPD’s request for the amendment is related to a previously approved City Council Resolution adopted on October 25, 1990 (Resolution No. 595, L.U. No. 78) (the “Prior Resolution”) granting the Exemption Area a real property tax exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and a partial tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Previous Tax Exemption”);

WHEREAS, HPD submitted to the Council on February 9, 2016 its request dated February 8, 2016 relating to the tax exemptions for the Exemption Area (“The HPD Request”);

WHEREAS, upon due notice, the Council held a public hearing on the Amended Exemption on March 15, 2016;

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

RESOLVED:

The Council approves the Amended Exemption pursuant to subdivision 1(a) of Section 422 of the Real Property Tax Law and Section 577 of Article XI of the Private Housing Finance Law, and the deletion of paragraph b thereof up until the “Adopted” notation and replacing it with the following:

- b. from the Effective Date, as hereinafter defined, provided that the Housing Company makes an annual partial real estate tax payments commencing upon the Effective Date as hereinafter defined. Commencing upon the Effective Date and during each year thereafter, real estate tax payments shall be made as follows: (i) commencing upon the Effective Date and during each year thereafter until June 30, 2004, payments shall consist of (a) \$28,876, which is ten percent (10%) of the annual rent or carrying charges, plus (b) 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 the Effective Date; (ii) commencing upon July 1, 2004 and during each year thereafter until June 30, 2016, payments shall consist of \$0; and (iii) commencing upon July 1, 2016 and during each year thereafter until the Expiration Date as hereinafter defined, payments shall consist of (a) \$28,876, plus (b) 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 the Effective Date. In any year in which a real estate tax payment must be made by the Housing Company, the total annual real estate tax payment in such year shall not exceed the lesser of either seventeen (17%) percent of contract rents, or the amount of real estate taxes that would otherwise be due in the absence of any form of tax exemption or abatement provided for by existing or future local law or state legislation for such year.
- c. That the required partial real estate tax payment shall first become payable and effective upon the date of issuance (“Effective Date”) of the Certificate of Occupancy, temporary or permanent, whichever occurs first, for the Housing Project, or, if the Housing Project is constructed in stages, the required partial real estate tax

payment applicable to each stage shall become payable and effective from the date of issuance of the Certificate of Occupancy, temporary or permanent, whichever first occurs, for each such stage. Furthermore, (i) the tax exemption approved herein shall operate and continue for so long as the HUD mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing upon the Effective Date (“Expiration Date”) and (ii) nothing herein shall entitle the Housing Company to a refund of any real property taxes which accrued and were paid with respect to the Housing Project prior to July 1, 2016.

- d. In consideration of the tax exemption provided herein, the Housing Company, for so long as the HUD Mortgage remains outstanding, but in no event for a period of more than forty (40) years, shall waive the benefits, if any, of any additional or concurrent tax abatements and/or exemptions which may be authorized under existing or future provisions of state or local law, rule or regulation.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 345

Report of the Committee on Land Use in favor of Application No. C 150343 ZSK submitted by STGG Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 94-096 of the Zoning Resolution to modify requirements for floor area, location of use, height, and accessory parking, to facilitate an enlargement of an existing commercial building on property located at 3133-3135 Emmons Avenue (Block 8804, Lot 75) within the Special Sheepshead Bay District, Borough of Brooklyn, Community Board 15, Council District 48. 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 March 9, 2016 (Minutes, page 648), and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN - CB 15

C 150343 ZSK

City Planning Commission decision approving an application submitted by STGG Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant Section 94-096 of the Zoning Resolution to modify the floor area requirements of Sections 94-092 (Maximum floor area ratio), to modify the location of use requirements of Section 32-421 (Limitation on floors occupied by commercial use), the height requirements of Section 33-43 (Maximum Height of Walls and Required

Setbacks), and the accessory parking requirements of Section 36-21 (General Provisions) to facilitate the 1-story enlargement of an existing 2-story commercial building, on property located at 3133-3135 Emmons Avenue (Block 8804, Lot 75), in an R5/C2-2 District, within the Special Sheepshead Bay District.

INTENT

This special permit action, in conjunction with the zoning text amendment, would facilitate the enlargement of an existing two-story building at 3133-3135 Emmons Avenue.

PUBLIC HEARING

DATE: March 15, 2016

Witnesses in Favor: One **Witnesses Against:** None

SUBCOMMITTEE RECOMMENDATION

DATE: March 15, 2016

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

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

Against: **Abstain:**
None None

COMMITTEE ACTION

DATE: March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:
Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Torres, Treyger,

Against: **Abstain:**
None None

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

Res No. 1019

Resolution approving the decision of the City Planning Commission on ULURP No. C 150343 ZSK (L.U. No. 345), for the grant of a special permit pursuant to Section 94-096 of the Zoning Resolution of the City of New York to modify the floor area requirements of Sections 94-092 (Maximum floor area ratio), to modify the location of use requirements of Section 32-421 (Limitation on floors occupied by commercial use), the height requirements of Section 33-43 (Maximum Height of Walls and Required Setbacks), and the accessory parking requirements of Section 36-21 (General Provisions) to facilitate the 1-story enlargement of an existing 2-story commercial building, on property located at 3133-3135 Emmons Avenue (Block 8804, Lot 75), in an R5/C2-2 District, within the Special Sheepshead Bay District, in Community District 15, Borough of Brooklyn.

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on February 26, 2016 its decision dated February 24, 2016 (the "Decision"), on the application submitted by STGG Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 94-096 of the Zoning Resolution of the City of New York to modify the floor area requirements of Sections 94-092 (Maximum floor area ratio), to modify the location of use requirements of Section 32-421 (Limitation on floors occupied by commercial use), the height requirements of Section 33-43 (Maximum Height of Walls and Required Setbacks), and the accessory parking requirements of Section 36-21 (General Provisions) to facilitate the 1-story enlargement of an existing 2-story commercial building, on property located at 3133-3135 Emmons Avenue (Block 8804, Lot 75), in an R5/C2-2 District, within the Special Sheepshead Bay District, (ULURP No. C 150343 ZSK), Community District 15, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application N 150342 ZRK (L.U. No. 346), a zoning text amendment to modify bulk and parking regulations of Article IX, Chapter 4 (Special Sheepshead Bay District);

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 94-096 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 15, 2016;

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

WHEREAS, the Council has considered the relevant environmental issues and the negative declaration (CEQR No. 15DCP156K) issued on October 5, 2015, which included an (E) designation (E-367) to avoid the potential for significant adverse impacts related to air quality (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C

150343 ZSK, incorporated by reference herein, the Council approves the Decision subject to the following conditions:

1. The property that is the subject of this application (C 150343 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Corporate Design America P.C., filed with this application and incorporated in this resolution:

- 2.

<u>Drawing Number</u>	<u>Title</u>	<u>Last Date Revised</u>
A001.00	Zoning Analysis	4/24/14
A002.00	Proposed Site Plan	4/24/14
A003.00	Cellar Plan and Parking Layout	4/24/14
A006.00	Proposed 2 nd Floor Plan	4/24/14
A007.00	Proposed 3 rd Floor Plan	4/24/14
A009.00	Building ZR Section	4/24/14
A010.00	Building ZR Section	4/24/14

3. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plan listed above which has been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
4. Such development shall conform to all applicable laws and regulations relating to its construction, operation, and maintenance.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee, or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions agreements, and terms or conditions of this resolution, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any powers of the City Planning Commission, or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the City's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 346

Report of the Committee on Land Use in favor of Application No. N 150342 ZRK submitted by STGG Realty, 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 the use, bulk, and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Borough of Brooklyn, Community Board 15, Council District 48.

The Committee on Land Use, to which the annexed Land Use item was referred on March 9, 2016 (Minutes, page 648) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN - CB 15****N 150342 ZRK**

City Planning Commission decision approving an application submitted by STGG Realty, 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 use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District).

INTENT

This amendment to the Zoning Resolution, in conjunction with the related Special Permit action, would facilitate the enlargement of an existing two-story building at 3133-3135 Emmons Avenue.

PUBLIC HEARING**DATE:** March 15, 2016**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 15, 2016

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

In Favor:

Richards, Garodnick, Williams, Reynoso, Torres.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Torres, Treyger.

Against:

None

Abstain:

None

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

Res No. 1020

Resolution approving the decision of the City Planning Commission on Application No. N 150342 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District), Community District 15, Borough of Brooklyn (L.U. No. 346).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on February 26, 2016 its decision dated February 24, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by STGG Realty, LLC, for an amendment of the text of the Zoning Resolution of the City of New York, concerning use, bulk and parking regulations in Article IX, Chapter 4 (Special Sheepshead Bay District) to facilitate the enlargement of an existing two-story building located at 3133-3135 Emmons Avenue (Block 8804, Lot 75), in the Special Sheepshead Bay District, Area G (Application No. N 150342 ZRK), Community District 15, Borough of Brooklyn (the "Application");

WHEREAS, the Application is related to application C 150343 ZSK (L.U. No. 345), a Special Permit pursuant to Section 94-096 of the Zoning Resolution of the City of New York to modify the floor area requirements, the location of use requirements, the height requirements, and the accessory parking requirements within the Special Sheepshead Bay District;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on March 15, 2016;

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 and the negative declaration (CEQR No. 15DCP156K) issued on October 5, 2015, which included an (E) designation (E-367) to avoid the potential for significant adverse impacts related to air quality (the "Negative Declaration");

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 150342 ZRK, incorporated by reference herein, the Council approves the Decision.

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

- Matter in underline is new, to be added;
- Matter in ~~strikeout~~ is old, to be deleted;
- Matter in # # is defined in Section 12-10;
- * * * indicate where unchanged text appears in the Zoning Resolution

ARTICLE IX – Special Purpose Districts Chapter 4 – Special Sheepshead Bay District

* * *

94-064
Supplementary use regulations

The provisions of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals), Sections 73-10 through 73-52, relating to modifications of #use#, shall not apply in the Special District, except that Section 73-36 (Physical Culture or Health Establishments) shall be applicable.

* * *

94-09
Special Bulk Regulations

* * *

94-092
Maximum floor area ratio

The permitted basic #floor area ratio# for #residential# or #community facility use# is 1.25 and for #commercial use# is 1.00. The permitted basic #floor area ratio# may be increased on any #zoning lot# by the amount set forth in Section 94-08 (Special Floor Area Bonus Provisions), or through transfer provisions pursuant to Section 94-094 (Authorization provisions for transfer of development rights to receiving lots) or by special permit pursuant to Section 94-096 (Special permit for floor area, location within buildings, building height and related parking modifications within Area G).

* * *

94-096**Special permit for floor area, location within buildings, building height and related parking modifications within Area G**

For #enlargements# to #buildings# in Area G, on #zoning lots# with a #lot area# of at least 10,000 square feet and existing on (effective date of amendment), the City Planning Commission may:

- (a) modify the provisions of Section 94-092 (Maximum floor area ratio) to increase the permitted #floor area ratio# for #commercial use# to 2.0 provided that such #enlargement#:
 - (1) is designed so as not to impair the character of the surrounding area or its future development; and
 - (2) will not cause undue congestion on local #streets# or impair pedestrian circulation;
- (b) modify the height provisions of paragraph (a) of Section 33-431 (In C1 or C2 Districts with bulk governed by surrounding Residence District) relating to the requirements in Section 32-42 for location of #uses# within #buildings#, to allow a #commercial building# or portion thereof to exceed 30 feet in height or two #stories#, provided that such #building# shall not exceed a maximum height of 35 feet or three #stories#, whichever is less; and provided that the distribution of the #bulk# permits adequate access of light and air to surrounding #streets# and properties, and does not impair the view of the Bay; and
- (c) waive or reduce the number of #accessory# off-street parking spaces required by Section 36-21 (General Provisions) for such #use#, provided that the applicant has demonstrated that the number of #accessory# off-street parking spaces supplied is sufficient to meet the parking needs of such #use#.

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

* * *

94-11**Special Parking Provisions**

* * *

94-114**Exceptions to application of waiver provisions and applicability of special permits related to parking**

In areas A, B, C, D, E and F, the provisions of Section 36-23 (Waiver of Requirements for Spaces below Minimum Number) do not apply.

The provisions relating to modifications of #parking# requirements of Article VII, Chapter 3 (Special Permits by the Board of Standards and Appeals) in Sections 73-10 through 73-52, shall not apply in the Special District.

DAVID G. GREENFIELD, *Chairperson*; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J. RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 347

Report of the Committee on Land Use in favor of Application No. 20165414 HAM submitted by New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for amendment to a previously approved urban development action area project for property located at 401/411 East 20th Street (Block 1808, Lot 10), Borough of Manhattan, Community Board 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on March 9, 2016 (Minutes, page 648) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN - CB 11

20165414 HAM

Application submitted by the New York City Department of Housing Preservation and Development for the approval of an amendment of a previously approved urban development action area project under Article 16 of the General Municipal Law; approval of the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and approval of the Amended Project as an Urban Development Action Area Project for property located at 401-411 East 120th Street, aka 2340-2350 First Avenue (Block 1808, Lot 10 (formerly p/o 8)), Borough of Manhattan, Community District 11, Council District 8.

INTENT

To amend a previously approved project in order to facilitate the construction of one building containing 178 rental dwelling units, plus a unit for the superintendent, commercial space, community facility space and open space on a residential recreation deck; targeted to and affordable to families with 30% AMI in accordance with the Extremely Low and Low Income Affordability Program.

PUBLIC HEARING**DATE:** March 15, 2016**Witnesses in Favor:** Two **Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** March 15, 2016

The Subcommittee recommends that the Land Use Committee approve the requests made by HPD.

In Favor:

Dickens, Mealy, Cohen, Treyger.

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Dickens, Garodnick, Mendez, Rodriguez, Koo, Lander, Levin, Rose, Williams, Richards, Barron, Cohen, Kallos, Torres, Treyger.

Against:

None

Abstain:

None

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

Res No. 1021

Resolution pursuant to Article 16 of the New York General Municipal Law (GML) the approval of an amendment to a previously approved Urban Development Action Area Project, approval of the urban development action area designation of the Disposition Area, and approval of the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the GML, for property located at 401-411 East 120th Street, aka 2340-2350 First Avenue (Block 1808, Lot 10 (formerly part of Lot 8)), Borough of Manhattan (L.U. No. 347; 20165414 HAM).

By Council Members Greenfield and Dickens.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on February 22, 2016 its request dated February 15, 2016 that the Council take the

following actions regarding an amendment to a previously approved Urban Development Action Area Project (the "Amended Project") located at 401-411 East 120th Street, aka 2340-2350 First Avenue (Block 1808, Lot 10 (formerly p/o 8)), Community District 11, Borough of Manhattan (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law;
2. Approve the designation of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law; and
3. Approve the Amended Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

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

WHEREAS, HPD submitted to the Council on February 22, 2016 its request dated February 15, 2016 relating to the Amended Project ("HPD Request");

WHEREAS, HPD submitted to the Council its revised request dated March 14, 2016 relating to the Amended Project (the "Revised HPD Request") including a project summary (the "Revised Project Summary");

WHEREAS, the HPD Request and Revised HPD Request are related to previously approved City Council Resolution No. 810, L.U. No. 254, of July 23, 2015 (the "Prior Resolution");

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on March 15, 2016;

RESOLVED:

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

The Council approves the designation of the Disposition Area pursuant to Section 693 of the General Municipal Law.

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

The Amended Project shall be developed upon the terms and conditions in the Revised Project Summary a copy of which is attached hereto and made part hereof.

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, ROSIE MENDEZ, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, JUMAANE D. WILLIAMS, DONOVAN J.

RICHARDS, INEZ D. BARRON, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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 State and Federal Legislation

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

Report for State and Legislation Res No. 3

Report of the Committee on State and Federal Legislation in favor of approving a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Hoylman, S.6891, and Assembly Member Glick, A.9454, “AN ACT to authorize the city of New York to discontinue the use of Christopher Park in the borough of Manhattan and to convey the city’s interest in the real property to the United States for park, monument, historic, or recreational purposes.”

The Committee on State and Federal Legislation, to which the annexed preconsidered State Legislation Resolution was referred on March 22, 2016, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether to recommend the adoption of this respective State Legislation Resolution [SLR] by the Council. By adopting this SLR, the Council would be formally requesting the New York State Legislature to act favorably in this matter)

BACKGROUND:

The proposed legislation (S.6891/A.9454) will permit the City of New York to convey its interest in Christopher Park which is located in the borough of Manhattan to the United States, so that the National Park Service may operate and maintain the parkland.

PROPOSED LEGISLATION:

Section 1 of the legislation provides the City of New York acting through the commissioner of the New York City Department of Parks and Recreation the authority to discontinue the use as city parkland of Christopher Park in the borough of Manhattan and convey the City of New York’s interest in the real property to the United States upon the terms and conditions agreed upon by the National Park Service and the City of New York. The United States will use Christopher Park for park, monument, historic, or recreational purposes.

Section 2 defines the metes and bounds of the parkland that the City of New York is conveying to the United States pursuant to section one of the legislation.

Section 3 of the legislation states that the deed to Christopher Park will revert back to the City of New York if the parkland ceases to be used and maintained under the purposes, terms and conditions as described in section one of the legislation.

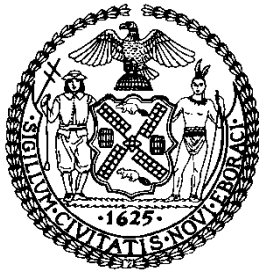
FISCAL IMPLICATIONS:

See Council Finance Division fiscal impact statement.

EFFECTIVE DATE:

Immediately

(The following is the text of the Fiscal Impact Statement for SLR No. 3:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
Preconsidered SLR 3: S.6891 (Hoylman)
A.9454 (Glick)
COMMITTEE: State and Federal Legislation**

TITLE: An act to authorize the city of New York to discontinue the use as city parkland of Christopher Park in the borough of Manhattan and to convey the city's interest in the real property to the United States for park, monument, historic, or recreational purposes.

SPONSOR(S): Council Member Koslowitz

SUMMARY OF LEGISLATION: This legislation would allow New York City to convey its interest in Christopher Park in Manhattan to the United States for park, monument, historic, or recreational purposes operated and maintained by the National Park Service. Any revenue received from such conveyance would have to be used by the City for capital improvements for existing parks or for the acquisition of new parkland. In the event that the land is not used by the United States for the stated purposes, the interest in the park would revert back to the City.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation because the Department of Parks and Recreation expects the parcel to remain park land. In the event in which it doesn't, the interest in the park would revert back to the City, with no impact on revenues.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on March 22, 2016. Following a successful vote by the Committee, the Preconsidered SLR will be introduced and voted on by the full Council on March 22, 2016.

DATE PREPARED: March 18, 2016

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house, please refer, respectively, to the New York State Senate and New York State Assembly).

KAREN KOSLOWITZ, *Chairperson*; INEZ E. DICKENS, BRADFORD S. LANDER, RAFAEL L. ESPINAL, Jr., BEN KALLOS, ALAN N. MAISEL, ANTONIO REYNOSO; Committee on State and Federal Legislation, March 22, 2016.

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 Youth Services

Report for Int No. 554-A

Report of the Committee on Youth Services 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 training on runaway, homeless or sexually exploited youth.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on November 25, 2014 (Minutes, page 4158), respectfully

REPORTS:

INTRODUCTION

On March 21, 2016, the Committee on Youth Services, chaired by Council Member Mathieu Eugene, will hold a second hearing on two bills, Proposed Int. No. 554-A, a Local Law amend the administrative code of the city of New York, in relation to training on runaway, homeless or sexually exploited youth, and Proposed Int. No. 993-A, a Local Law to amend the administrative code of the city of New York, in relation to changing the date of an annual report related to sexually exploited children. The Committee considered the original versions of these bills, Int. No 554 and Int. No 993, at its November 30, 2015 hearing, at which time testimony was heard from the Department of Youth and Community Development (DYCD), Administration of Children's Services (ACS), advocates, and service providers. Following this hearing, amendments were made to both bills, which will be described later in this report.

BACKGROUND

There have been numerous reports highlighting the dire situations many runaway and homeless youth (RHY) encounter on the streets of New York City. Some of these reports have focused on the difficulty of RHY in trying to access government services, while other reports have documented the means by which many RHY have used to survive on the streets. Of particular importance has been the vulnerability of the lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth within the RHY population. Many have experienced higher rates of service denial, institutional barriers, as well as violence resulting from breaches of confidentiality, and unsafe and discriminatory treatment by staff and other service providers, based on their sexual orientation, gender identity, gender expression, and age. These studies have highlighted the importance of ensuring city services are not only responsive to the RHY's particular needs, but to also be sensitive to the LGBTQ youth's unique challenges. The two bills before the Committee today represent ongoing efforts to address these concerns and issues.

In 2013, the New York State Office of Children and Family Services (OCFS) also conducted research on commercial sexual exploitation of young people in New York City.

¹ The OCFS Report estimated that there were 2,253 commercially sexually exploited children in New York City, although other research, mentioned later, estimates that the number could even be higher.² Covenant House also released a report in 2013 to develop an assessment tool that would allow RHY providers to identify victims of trafficking and to gain information regarding the experiences of trafficking victims.³ Overall, the research showed that the assessment tool was effective in identifying trafficking victims among the runaway and homeless youth at Covenant House.⁴ From the 174 participants assessed, 23% of the participants had either engaged in survival sex or experienced trafficking.⁵ Of the 174 participants surveyed, 6.3% reported sex trafficking that was compelled through force, fraud or coercion.⁶

Individuals that were alleged to be involved by the study participants as traffickers included immediate family members (36%), boyfriends (27%), friends of family (14%), employers (14%), or strangers (9%).⁷ In addition, 5.7% of the 174 participants were under the age of 18 when they claimed to have traded sex for something of value, and thus according to this research, met the federal definition for sex trafficking, even without the involvement of force, fraud, or coercion.⁸

¹ Gragg, F. et al, NYS Office of Children and Family Services, *New York Prevalence Study of Commercially Sexually Exploited Children* 3, 2007 <http://www.ocfs.state.ny.us/main/Reports/CSEC-2007.pdf>. (last visited June 7, 2013) .

² *Id.*

³ Covenant House New York, "*Homelessness, Survival Sex and Human Trafficking: As Experienced by the Youth of Covenant House New York*," (2013).

⁴ *Id.*

⁵ *Id.* at 10.

⁶ *Id.* at 9.

⁷ *Id.*

⁸ *Id.*

The Covenant House report found four main risk factors for trafficking and survival sex.⁹ First, many runaway and homeless youth come from abusive and neglectful homes.¹⁰ Traffickers often promise love and safety, but ultimately end up abusing and exploiting the youth.¹¹ A second factor is the lack of a safe place to sleep.¹² A significant percentage of the participants who engaged in survival sex reported that a lack of a safe place to sleep was a main reason for their entry into prostitution.¹³ A third risk factor is a prior history of sexual abuse or other extreme trauma.¹⁴ Of the youth who reported engaging in commercial sexual activity, 78% reported experiencing childhood rape or molestation.¹⁵ Finally, many of the participants reported that the lack of adult guidance led to their trafficking experiences.¹⁶

As a result, the report made a number of recommendations to prevent exploitation of young people. These recommendations included access to shelter and services for homeless youth, public education campaigns, New York State legislation to provide services for trafficking survivors over the age of 18, collaborative work to reduce the demand for trafficking victims, employment and educational training program for homeless youth, and increased services for LGBTQ youth.

Another survey, released in 2008, of homeless youth found there were nearly 4,000 homeless unaccompanied youth in New York City.¹⁷ Many of these young people are forced to spend their nights sleeping in abandoned buildings, cars, or subway stations.¹⁸ The survey revealed that a significant number of youth were forced into trafficking or turn to survival sex in order to meet their basic needs.¹⁹ Another study by the Center for Court Innovation and John Jay College of Criminal Justice released in 2008, estimated there were 3,946 commercially sexually exploited youth in New York City.²⁰ However, the data in these studies has been limited due to the underground nature of the sex market and the stigma associated with sex work.²¹ Yet another study found that LGBTQ youth prefer to engage in survival sex or ‘couch surfing’ that involved sexual exchange rather than experience the abuse and potential violence they sometimes face in youth shelters or foster care.²²

Local Law 23 of 2013 (Local Law 23)

Local Law 23 requires the Administration for Children’s Services (ACS) and the Department of Youth and Community Development (DYCD) to submit an annual report to the Speaker of the City Council, documenting the number of youth in contact with DYCD and ACS.²³ To date, two reports have been received by the Committee. The first report released in 2013 (2013 Report) provided information on DYCD’s and ACS’s programs and services designed to meet the needs of sexually exploited children. This report also focused on the difficulties and challenges of identifying and documenting sexually exploited children, and what ACS has done to address those challenges.²⁴

⁹ *Id.* at 14.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ Covenant House New York, “*Homelessness, Survival Sex and Human Trafficking: As Experienced by the Youth of Covenant House New York*,” 14, 2013.

¹⁴ *Id.* at 15.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Freeman, L. & Hamilton, D., Empire State Coalition of Youth and Family Services, “*A Count of Homeless Youth in New York City*,” at 2, 2008.

¹⁸ *Id.* at 1.

¹⁹ The New York City Association of Homeless and Street Involved Youth Organizations, “*2009 State of the City’s Homeless Youth in NYC*,” 2009.

²⁰ Rick Curtis, Karen Terry, Meredith Dank, Kirk Dombrowski, and Bilal Khan, Center for Court Innovation and John Jay College of Criminal Justice, “*The Commercial Sexual Exploitation of Children in New York City Volume One The CSEC Population in New York City: Size, Characteristics and Needs*,” 33 (2008). <https://www.ncjrs.gov/pdffiles1/nij/grants/225083.pdf> (last visited June 7, 2013).

²¹ *Id.* at 1-2.

²² Urban Institute, “*Surviving the Streets of New York: Experiences of LGBTQ Youth, YMSM, and YWSW Engaged in Survival Sex*” (February 2015), available at, <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000119-Surviving-the-Streets-of-New-York.pdf>

²³ **Local Law 23** (this law may be accessed at the Council’s website at <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1134068&GUID=3E9CEEED-047D-4225-A12F-46D53A306C08&Options=ID|Text|&Search=>).

²⁴ Local Law 23, 2013 Report.

The second report released in 2014 (2014 Report), detailed how many RHY were served by DYCD, ACS, and their providers.²⁵ The report also highlighted how the data was obtained and some of the problems encountered as both agencies complied with the requirements of Local Law 23.

2013 Report: Programs and Services

The 2013 Report discusses that DYCD provides several programs designed to meet the needs of sexually exploited children. In 2014, DYCD provided \$415 million in funding, through community-based organizations to support programs and services that include immigration, after-school, literacy, jobs and internships, parenting, runaway and homeless youth programs and services.²⁶

DYCD's continuum of services for RHY are created to protect young people through a wide array of services designed to protect a broad range of individuals with diverse backgrounds and experiences.²⁷ Some of these programs include:²⁸

- Crisis Shelters which offer emergency shelter for RHY up to the age of 21;
- Drop-in-Centers that provide emergency intervention services at centers in each of the five boroughs, providing food, clothing, and immediate shelter and access to other support services;
- Street Outreach Programs affiliated with Safe Horizon's Streetwork Project which provide services to anyone under 24 years of age and homeless; and
- Transitional Independent Living (TIL) Programs, which offer 137 TIL beds to RHY identified as sexually exploited and in need of specialized services.

Additionally, in 2014, the report stated that OCFS provided \$550,000 (in the same year) to New York City to continue to develop and implement a child welfare response to sex trafficking.²⁹ According to the report, other important avenues for services for young New Yorkers include Safe Horizon's Safe Harbor and other vital programs, Girls Education and Mentoring Services (GEMS), and the incorporation of RHY in DYCD's Summer Youth Employment Program (SYEP).³⁰ The report also highlighted that many of ACS's divisions which include child protective, child preventative, foster care, and juvenile justice, all have programs aimed at RHY.³¹ Some of those programs include specialized LGBTQ Services, the Ali Forney Center, The Hetrick-Martin Institute (HMI), and The Door.³²

The 2013 Report also discussed problems encountered in documenting and aggregating data.³³ Some of the challenges included documenting and reporting data about the children and youth served, especially among at-risk and sexually exploited youth.³⁴ Additionally, as there are complex multiple case management systems across ACS's program areas with separate databases for its preventive and juvenile systems, and factor in that ACS does not operate CONNECTION, a statewide child welfare database for record keeping,³⁵ these factors made it difficult for ACS to collect accurate data.

To improve its data collection methodology, ACS contracted with Chapin Hall at the University of Chicago to evaluate models for identifying sexually exploited youth known to the child welfare system and the mechanisms for recording and compiling reports of sexually exploited children.³⁶ While Chapin Hall had not released its final report, it recommended additional training for frontline staff on reporting requirements and best practices screening methods.³⁷ Additionally, Chapin Hall encouraged ACS to evaluate its various case management systems across the child protective, preventive services, juvenile justice divisions, and its

²⁵ Local Law 23, 2014 Report.

²⁶ Local Law 23, 2014 Annual Report, at 6.

²⁷ *Id.*

²⁸ *Id.* at 7-9.

²⁹ *Id.* at 9.

³⁰ Local Law 23, 2013 Annual Report at 8-11.

³¹ *Id.* at 10.

³² Local Law 23, 2013 Annual Report at 8-10.

³³ *Id.* at 14.

³⁴ *Id.*

³⁵ *Id.* at 15.

³⁶ *Id.*

³⁷ *Id.*

Investigative Consultation Unit in order to effectively capture and aggregate data on sexually exploited children in a timely manner.³⁸

Chapin Hall also identified CONNECTIONS as the most promising mechanism to capture and aggregate data because it captures demographic information, placement data, progress notes, Family Assessment Plans etc. However, there is no option to electronically denote a child's risk or involvement in commercial sexual exploitation and that information must be recorded in the field reserved for progress notes.³⁹ Currently, there is no existing mechanism to analyze the text recorded in the progress notes fields.⁴⁰ Chapin Hall recommended CONNECTIONS denote an electronic check box field for commercial sexual exploitation and for ACS to do the same with its own operating systems.⁴¹

ACS indicated it will review Chapin Hall's final report and evaluate ways to streamline and improve its documentation and reporting systems.⁴²

2014 Report: Data Collection and Challenges

According to the 2014 Report, ACS, DYCD, and their providers served 1,405 youth.⁴³ DYCD provided services to 528 exploited youth through their programs. These services included:⁴⁴

- 211 youth received Crisis Bed Services;
- 81 youth received services from Transitional Independent Living Programs (TILS);
- 231 youth received services at Drop-in Centers; and
- 5 youth were identified through DYCD Street Outreach.

ACS was able to obtain the demographic data of young people served by New York State Safe Harbour-funded programs from ACS and DYCD Safe Harbor providers.⁴⁵ Data was also obtained through a pilot program that utilized a rapid screening tool developed specifically for use in child welfare and juvenile justice settings by Loyola University's Center for Human Rights of Children.⁴⁶ During the initial pilot screening phase, a total of 37 children were screened, and 11 of those children reported as being sexually exploited.⁴⁷ After the pilot program, the Children's Center screened 90 additional, 11 of whom identified as exploited.⁴⁸

ACS also found that providers faced challenges in documenting and reporting data about the children and youth they serve, especially amongst at-risk and sexually exploited youth.⁴⁹ Some of these problems included providers presenting aggregate figures while others provided data broken down by age ranges.⁵⁰ For example, some providers submitted completed data that could readily be translated to meet the requirements of Local Law 23,⁵¹ while others provided data using alternative age ranges, 10-13, 14-15, 16-20, 21 and over.⁵² This varied month to month which made it difficult to aggregate the numbers as required by Local Law 23.⁵³ To avoid the data being skewed, data was aggregated as ages 12-15 and ages 16-18.⁵⁴

In another instance, providers who conducted momentary outreach were unable to obtain complete information while in other cases, requesting the youth to provide information about any contact with ACS prompted the youth to become guarded about the questions. This only made it difficult for the questioner to establish a rapport with the youth, frustrating any more attempts to elicit further information.⁵⁵

³⁸ *Id.*

³⁹ Local Law 23, 2013 Annual Report at 15.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ Local Law 23, 2014 Annual Report, at 2.

⁴⁴ *Id.* at 3

⁴⁵ *Id.* at 4.

⁴⁶ Local Law 23, 2014 Annual Report at 4.

⁴⁷ *Id.* at 4-5; (youth identified by the screening tool pilot were captured in the statistics for the CSEC Counselors at the Children's Center, within the category of 'Safe Harbor Providers' in table 1 of the Second Report.

⁴⁸ *Id.* at 5.

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ [Local Law 23](#) (requires disaggregation of data according to ages, under 12 years old, 12-16 years old, 16-18 years old, and over 18 years old).

⁵² Local Law 23 of 2013, 2014 Annual Report, at 6.

⁵³ *Id.*

⁵⁴ *Id.* at 5.

⁵⁵ *Id.*

Another challenge arose where ACS found it difficult to ascertain whether youth were counted more than once. For example, Local Law 23 requires disaggregation of data according to ages 12-16 and 16-18.⁵⁶ As a result, a youth aged 16 could be counted twice. Another problem was how to determine whether information provided at a later time related to a new or existing client. Gender classification also proved to be a stumbling block where ACS had to include Male Transgender and Female Transgender categories. This happened in late 2014 and some providers continued to capture data under the existing gender classifications.⁵⁷

In response to the problems encountered, ACS implemented a uniform data tool in late 2014 which provided agencies with a standardized mechanism to capture and aggregate their data in compliance with Local Law 23.⁵⁸ Additionally, in February of this year, ACS hired a fulltime Director of Child Trafficking Prevention and Policy to provide oversight of the Safe Harbour Program funding, data collection, policy development, training design, and public awareness.⁵⁹ Also, to better identify and collect data on CSEC youth, ACS has implemented the following:⁶⁰

- A Child Trafficking e-mail Mailbox to facilitate case communication between the ACS direct practice staff and the Child Trafficking team;
- A Safe Harbour survey has been designed and implemented for data capture in 2015;
- The ACS office of Information Technology is working on modifying the Investigative Consultation System (ICS) to capture CSEC cases. The ICS and the NYC Safe Harbour survey will be used comprehensively until OCFS makes a determination as to whether CSEC data will be captured within Connections; and
- ACS is also developing a screening tool to assist with identifying exploited youth.

ACS stated that it is continuing to work with its divisions and contract providers to streamline reporting in a manner that improves the way in which it collects and reports data.

ANALYSIS OF PROPOSED INT. NO. 554-A

This legislation was prepared to help improve the training of those who interact with runaway, homeless, and sexually exploited youth. Section one of Proposed Int. No. 554-A would add a new section, 3-118, to the Administrative Code (the Code) to require a training coordinator who will be located in an agency designated by the mayor. The coordinator shall provide annual trainings to individuals who are employees of the Administration of Children's Services, the Department of Parks and Recreation, the Department of Homeless Services, and the Human Resources Administration/Department of Social Services. These trainings will focus on best practices for identifying runaway, homeless, or sexually exploited youth, and for connecting young people to appropriate services.

This legislation also conditions contracting with any of the agencies identified above upon contractors and service providers providing best practices training to their employees whose positions involve regular contact with youth. They also must certify to the city agency responsible for the contract that the training has been conducted.

The coordinator shall work with each agency listed above to identify employees whose job qualifications make them best suited to attend each training session. The coordinator will also be responsible for outreach efforts to other entities, including but not limited to the Department of Education, Police Department, the Department of Probation, health clinics, libraries, and hospitals, including emergency rooms. This outreach will be to encourage them to consider whether similar trainings will be appropriate for their own employees.

The trainings required by this legislation must be conducted in person or through a web-based system capable of accepting, transmitting and displaying messages between a trainee and either a trainer or a provider entity, for the purpose of allowing question and answer upon receipt, or both, or through another platform or application that has been developed for these purposes.

⁵⁶ Local Law 23, 2014 Annual Report at 5.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.* at 16.

⁶⁰ *Id.* at 17.

Section two provides that the local law would take effect 90 days after its enactment, provided that the requirements of subdivision d of section 3-118 shall apply only to contracts solicited or renewed on or after such effective date.

Significant Changes

There are several significant changes between the original version of the legislation and Proposed Int. No 554-A. The amended legislation now defines sexually exploited youth as persons under the age of 18 who have been subject to sexual exploitation because they (a) are the victim of the crime of sex trafficking as defined in section 230.34 of the penal law; (b) engage in any act as defined in section 230.00 of the penal law; (c) are a victim of the crime of compelling prostitution as defined in section 230.33 of the penal law; or (d) engage in acts or conduct described in article 263 or section 240.37 of the penal law. The term shall also mean persons under the age of 18 who have been subject to incest in the third degree, second degree or first degree, as defined in sections 255.25, 255.26, and 255.27 of the penal law, respectively, or any of the sex offenses enumerated in article 130 of the penal law.

The amended legislation also established a training coordinator, to be located in an agency designated by the mayor who will coordinate annual trainings to individuals whose positions involve regular contact with youth. This coordinator will train the employees in best practices for identifying runaway, homeless or sexually exploited youth, and for connecting these young people to appropriate services. The coordinator will also work with each agency noted in the amended legislation to identify which employees are best suited to attend the trainings, as well as encourage other entities to consider whether trainings would be appropriate for their staff.

The amended legislation also conditions being able to contract with any of the agencies listed in subdivision b of new section 3-118 on those contractors and service providers providing the best practices training to their employees who regularly interact with youth.

The way in which the trainings will be conducted is also regulated by the amended legislation. The trainings shall be conducted in person, or through a web-based system capable of accepting, transmitting and displaying messages between a trainee and either a trainer or a provider entity, for the purpose of allowing question and answer upon receipt, or both, or through another platform or application that has been developed for such purposes.

The amended legislation will take effect 90 days after its enactment, except that the requirements set forth in subdivision d of section 3-118 shall apply only to contracts solicited or renewed on or after such effective date.

ANALYSIS OF PROPOSED INT. NO. 993-A

Section one of Proposed Int. No. 993-A would amend subdivision c of section 21-402 of the Code to require the annual report prepared by ACS and DYCD pursuant to local law 23 to be submitted no later than April 30th for 2016, and then annually thereafter no later than April 1st. The annual report will also be posted on the department's and ACS's website. The report documents the number of youth in contact with the department's runaway and homeless youth services or ACS who are referred as, self-report as, or who the department or ACS later determine to be sexually exploited children.

Proposed Int No. 993-A was also drafted to address ACS's concerns about age aggregation. Bill section one would also change the disaggregation of age from 12 to 16 years to 12 to 15 years and thus would now require the use of the following reporting age ranges, under 12 years old, 12-15 years old, 16-18 years old, and over 18 years old, by gender, and by whether such children had contact with the department or ACS.

Section two would provide that the local law take effect immediately.

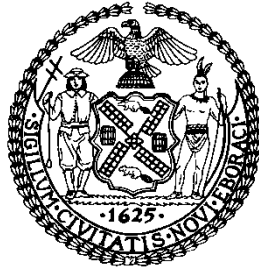
Significant Changes

The amended legislation commences on April 30, 2016 and annually thereafter, the yearly report must be submitted no later than every April 1.

Technical

A drafting correction was made in bill section one, on line one, to clarify that subdivision c of section 21-402 was amended.

(The following is the text of the Fiscal Impact Statement for Int No. 554-A:)



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

PROPOSED INTRO. NO. 554-A

COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code for the City of New York, in relation to training on runaway, homeless or sexually exploited youth

SPONSORS: Eugene, Chin, Gentile,
Gibson, Koo, Mendez, Rodriguez,
Menchaca, Constantinides, and Van
Bramer

SUMMARY OF LEGISLATION: Proposed Intro. No. 554-A would require the City to appoint a training coordinator, in an agency chosen by the Mayor, to teach certain agency staff how to identify runaway, homeless or sexually exploited youth and how connect them with appropriate services. The coordinator would conduct the training with the agency employees of the Administration for Children's Services (ACS), the Department of Parks and Recreation (DPR), Department of Homeless Services (DHS), and Human Resources Administration/Department of Social Services (HRA) who are regularly in contact with youth. The coordinator would also be responsible for outreach efforts to other entities including, but not limited to, the Department of Education, Police Department, and Department of Probation, as well as health clinics, libraries and hospitals.

In addition, the proposed legislation would require that contracts between service providers and ACS, DPR, DHS and HRA include a requirement that the contractors and service providers provide to their employees whose positions involve regular contact with youth the same training required for relevant City agency staff, and shall certify to the city agency responsible for such contract that such training has been conducted.

EFFECTIVE DATE: This local law would take effect 90 days after its enactment, except that the provision related to contractors and service providers would apply only to contracts solicited or renewed on or after the effective date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY17	FY Succeeding Effective FY18	Full Fiscal Impact FY17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	0	0	0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from this legislation. According to the Administration, the Department of Citywide Administrative Services will designate a current employee to serve as the coordinator. Development of the training program by the coordinator would likely incur some costs, but there are sufficient budgetary resources available among the agencies that would be covered by Proposed Intro. No. 554-A to cover any costs.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: TBD

SOURCES OF INFORMATION: Finance Division
Mayor's Office of Legislative Affairs

ESTIMATE PREPARED BY: Jessica Ackerman, Senior Legislative Finance Analyst, Finance Division

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance Division
Rebecca Chasan, Assistant Counsel, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division
Dohini Sompura, Unit Head, Finance Division
Eisha Wright, Unit Head, Finance Division

LEGISLATIVE HISTORY: Intro. No. 554 was introduced by the Council on November 25, 2014 and referred to the Committee on Youth Services. The Committee considered the legislation at a hearing on November 30, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 554-A, will be voted on by the Committee at a hearing on March 21, 2016. Upon successful vote of the Committee, Proposed Intro. No. 554-A will be submitted to the full Council for a vote on March 22, 2016.

DATE PREPARED: March 21, 2016

(For text of Int No. 993-A and its Fiscal Impact Statement, please see the Report of the Committee on Youth Services for Int No. 993-A printed in these Minutes)

Accordingly, this Committee recommends the adoption of Int Nos. 554-A and 993-A.

(The following is the text of Int No. 554-A:)

Int. No. 554-A

By Council Members Eugene, Chin, Gentile, Gibson, Koo, Mendez, Rodriguez, Menchaca, Constantinides, Van Bramer, Palma, Mealy, Cumbo and Kallos.

A Local Law to amend the administrative code of the city of New York, in relation to training on runaway, homeless or sexually exploited youth.

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-118 to read as follows:

§ 3-118 Training regarding homeless, runaway or sexually exploited youth.

a. For the purposes of this section, the following terms have the following meanings: Homeless youth. The term "homeless youth" means persons under the age of 21 who are in need of services and are without a place of shelter where supervision and care are available.

Runaway youth. The term "runaway youth" means persons under the age of 18 years who are absent from their legal residence without the consent of their parent, legal guardian or custodian.

Sexually exploited youth. The term "sexually exploited youth" means persons under the age of 18 who have been subject to sexual exploitation because they (a) are the victim of the crime of sex trafficking as defined in section 230.34 of the penal law; (b) engage in any act as defined in section 230.00 of the penal law; (c) are a victim of the crime of compelling prostitution as defined in section 230.33 of the penal law; or (d) engage in acts or conduct described in article 263 or section 240.37 of the penal law. The term shall also mean persons under the age of 18 who have been subject to incest in the third degree, second degree or first degree, as defined in sections 255.25, 255.26, and 255.27 of the penal law, respectively, or any of the sex offenses enumerated in article 130 of the penal law.

b. There shall be established a training coordinator, to be located in an agency designated by the mayor, who shall provide coordination, direction and guidance with respect to the provision of annual trainings to individuals whose positions involve regular contact with youth, focusing on best practices for identifying runaway, homeless or sexually exploited youth, and for connecting such youth to appropriate services. Such training shall be provided to the employees of the administration for children's services, the department of parks and recreation, the department of homeless services, and the human resources administration/department of social services.

c. The coordinator shall work with each agency identified in subdivision b of this section to identify employees whose job qualifications make them best suited for such training. The coordinator shall also be responsible for outreach efforts to other entities, including but not limited to the department of education, police department, the department of probation, health clinics, libraries, and hospitals, including emergency rooms, to encourage them to consider whether trainings similar to the ones described in this section would be appropriate for their personnel.

d. As a condition of the contract with any of the agencies identified in subdivision b of this section, contractors and service providers shall provide to their employees whose positions involve regular contact with youth the training described in this section, and shall certify to the city agency responsible for such contract that such training has been conducted.

e. The trainings required by this section shall be conducted in person, or through a web-based system capable of accepting, transmitting and displaying messages between a trainee and either a trainer or a provider entity, for the purpose of allowing question and answer upon receipt, or both, or through another platform or application that has been developed for such purposes.

§ 2. This local law shall take effect 90 days after its enactment; provided, however, that the requirements set forth in subdivision d of section 3-118 of the administrative code of the city of New York, as added by this local law, shall apply only to contracts solicited or renewed on or after such effective date.

MATHIEU EUGENE, *Chairperson*; ANNABEL PALMA, DARLENE MEALY, LAURIE A. CUMBO; Committee on Youth Services, March 21, 2016.

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

Report for Int No. 993-A

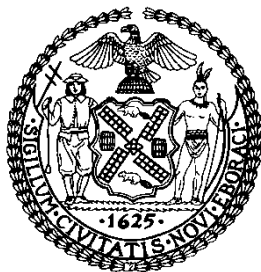
Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, a Local Law to amend the administrative code of the city of New York, in relation to changing the date of an annual report related to sexually exploited children.

The Committee on Youth Services, to which the annexed proposed amended local law was referred on November 10, 2015 (Minutes, page 3977), respectfully

REPORTS:

(For text of the report, please see the Report of the Committee on Youth Services for Int No. 554-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int No. 993-A :



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

PROPOSED INTRO. NO. 993-A

COMMITTEE: Youth Services

SPONSORS: Levin, Eugene, Dickens, Rodriguez, Richards, Constantinides and Van Bramer

TITLE: A Local Law to amend the administrative code for the City of New York, in relation to changing the date of an annual report related to sexually exploited children

SUMMARY OF LEGISLATION:

Local Law 23 of 2013 requires the Department of Youth and Community Development (DYCD), in consultation with the Administration for Children's Services (ACS), to report to the Speaker of the Council annually, on January 1, the number of sexually exploited youth each agency has come into contact with over the course of the calendar year. Proposed Intro. No. 993-A would change the reporting due date to April 30th for 2016 and April 1st annually thereafter, require the report to be posted online, and make a technical change to more accurately reflect the age groups represented within the report.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2017

FISCAL IMPACT STATEMENT:

	Effective FY16	FY Succeeding Effective FY17	Full Fiscal Impact FY17
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Administration for Children's Services (ACS)

ESTIMATE PREPARED BY: Jessica Ackerman, Senior Legislative Finance Analyst, Finance Division

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director, Finance Division
Rebecca Chasan, Assistant Counsel, Finance Division
Tanisha Edwards, Chief Counsel, Finance Division
Dohini Sompura, Unit Head, Finance Division
Eisha Wright, Unit Head, Finance Division

LEGISLATIVE HISTORY: Intro. No. 993 was introduced by the Council on November 10, 2015 and referred to the Committee on General Welfare. On November 19, 2016, the legislation was re-referred to the Committee on Youth Services. The Committee on Youth Services considered the legislation at a hearing on November 30, 2015 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 993-A, will be voted on by the Committee at a hearing on March 21, 2016. Upon successful vote of the Committee on Youth Services, Proposed Intro. No. 993-A will be submitted to the full Council for a vote on March 22, 2016.

DATE PREPARED: March 21, 2016

Accordingly, this Committee recommends its adoption, amended.

(The following is the text of Int No. 993-A:)

Int. No. 993-A

By Council Members Levin, Eugene, Dickens, Rodriguez, Richards, Constantinides, Van Bramer, Menchaca, Palma, Mealy, Cumbo and Kallos.

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

Be it enacted by the Council as follows:

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

c. Commencing on [January 1, 2014] *April 30, 2016* and annually thereafter, no later than every [January] *April 1*, the commissioner, in consultation with the commissioner of the administration for children's services ("ACS") shall submit a yearly report to the speaker of the city council, *and posted on the department's and ACS' websites*, documenting the number of youth in contact with the department's runaway and homeless youth services or ACS who are referred as, self-report as, or who the department or ACS later determine to be sexually exploited children, disaggregated by age utilizing the following ranges under 12 years old, 12-[16] 15 years old, 16-18 years old and over 18 years old, by gender and by whether such children had contact with the department or ACS. The department and ACS shall also determine and document in such report the number of such children identified as having received services from both the department and ACS. Such report shall also include a description of the services provided by the department and ACS to meet the needs of youth who are or have been sexually exploited children including, but not limited to the number of beds designated for such children and the types of mental health and health services provided to such children. Such report shall also include the department's and ACS's methods for collecting data regarding the number of sexually exploited children. Nothing herein shall require the department or ACS to share information that identifies such children. No information that is required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of such children's information.

§ 2. This local law takes effect immediately.

MATHIEU EUGENE, *Chairperson*; ANNABEL PALMA, DARLENE MEALY, LAURIE A. CUMBO; Committee on Youth Services, March 21, 2016.

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

Report for L.U. No. 334 & Res. No. 1022

Report of the Committee on Land Use in favor of Application No. N 160051 ZRY submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to create the Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 512) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT**CITYWIDE****N 160051 ZRY**

City Planning Commission decision approving an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable.

INTENT

This amendment to the text of the Zoning Resolution of the City of New York would create a share of new housing to be permanently affordable.

PUBLIC HEARING**DATE:** February 9, 2016**Witnesses in Favor:** Twenty-six**Witnesses Against:** Forty**SUBCOMMITTEE RECOMMENDATION****DATE:** March 17, 2016

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

In Favor:

Richards, Williams, Gentile, Garodnick, Reynoso, Torres.

Against:

None

Abstain

None

COMMITTEE ACTION**DATE:** March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Palma, Dickens, Garodnick, Rodriguez, Koo, Lander, Levin, Rose, Richards, Cohen, Kallos, Torres, Treyger.

Against:

Williams, Barron.

Abstain:
Mendez.

FILING OF MODIFICATION WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on March 18, 2016. The City Planning Commission filed a letter dated March 21, 2016, with the Council on March 21, 2016, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res No. 1022

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160051 ZRY, for an amendment of the Zoning Resolution of the City of New York, to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable, Citywide (L.U. No. 334).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on February 5, 2016 its decision dated February 3, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the Zoning Resolution of the City of New York, to create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable (Application No. N 160051 ZRY), Citywide (the "Application");

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 9, 2016;

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 and the negative declaration (the "Negative Declaration"), issued on September 21, 2015 (CEQR No. 16DCP028Y), the CEQR Technical Memorandum dated January 29, 2016 (the "CEQR Technical Memorandum 001"), and the CEQR Technical Memorandum dated March 18, 2016 (the "CEQR Technical Memorandum 002", together with the Negative Declaration and the CEQR Technical Memorandum 001, the "Environmental Determination");

RESOLVED:

The Council finds that the action described herein with have no significant impact on the environment as set forth in the Environmental Determination.

(Editor's Note: for the remaining 65 pages of the MIH Plan, please refer to Res No. 1022 of 2016 on the New York City Council website at <http://council.nyc.gov>)***

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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. 335 & Res. No. 1023

Report of the Committee on Land Use in favor of approving Application No. N 160049 ZRY submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify various sections to change definitions and regulations for bulk and parking.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2016 (Minutes, page 513) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

CITYWIDE

N 160049 ZRY

City Planning Commission decision approving an application submitted by the New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York to modify various sections to change definitions and regulations for bulk and parking.

INTENT

This amendment to the text of the Zoning Resolution of the City of New York would modify various sections to change definitions and regulations for bulk and parking.

PUBLIC HEARING

DATE: February 10, 2016

Witnesses in Favor: Twenty-nine

Witnesses Against: Forty-four

SUBCOMMITTEE RECOMMENDATION

DATE: March 17, 2016

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

In Favor:

Richards, Gentile, Garodnick, Williams, Reynoso, Torres.

Against: Abstain:

None None

COMMITTEE ACTION

DATE: March 17, 2016

The Committee recommends that the Council approve the attached resolution.

In Favor:

Greenfield, Gentile, Cohen, Palma, Dickens, Garodnick, Rodriguez, Koo, Lander, Levin, Rose, Richards, Kallos, Torres, Treyger.

Against:

Williams, Barron.

Abstain:

Mendez.

FILING OF MODIFICATION WITH THE CITY PLANNING COMMISSION

The Committee's proposed modifications were filed with the City Planning Commission on March 18, 2016. The City Planning Commission filed a letter dated March 21, 2016, with the Council on March 21, 2016, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res No. 1023

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 160049 ZRY, for an amendment of the Zoning Resolution of the City of New York, to support the creation of new affordable housing and encourage better residential buildings, Citywide (L.U. No. 335).

By Council Members Greenfield and Richards.

WHEREAS, the City Planning Commission filed with the Council on February 5, 2016 its decision dated February 3, 2016 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by the New York City Department of City Planning, for an amendment of the text of the Zoning Resolution of the City of New York, to support the creation of new affordable housing and encourage better residential buildings. To enable these goals a set of targeted changes to the zoning regulations to support the creation of new affordable housing and senior care facilities, help deploy public resources devoted to

affordable housing more efficiently, and to encourage better residential buildings that are more in keeping with their surroundings and which help enliven the pedestrian environment (Application No. N 160049 ZRY), Citywide (the "Application");

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on February 10, 2016;

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 and the Final Environmental Impact Statement ("FEIS"), for which a Notice of Completion was issued on January 22, 2016 (CEQR No. 15DCP104Y), the CEQR Technical Memorandum dated February 3, 2016 (the "CEQR Technical Memorandum 001") and the CEQR Technical Memorandum dated March 18, 2016 (the "CEQR Technical Memorandum 002", together with the CEQR Technical Memorandum 001, the "Technical Memoranda");

RESOLVED:

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

(Editor's Note: for the remaining 515 pages of the ZQA Plan, please refer to Res No. 1023 of 2016 on the New York City Council website at <http://council.nyc.gov>)***

DAVID G. GREENFIELD, Chairperson; VINCENT J. GENTILE, ANNABEL PALMA, INEZ E. DICKENS, DANIEL R. GARODNICK, YDANIS A. RODRIGUEZ, PETER A. KOO, BRADFORD S. LANDER, STEPHEN T. LEVIN, DEBORAH L. ROSE, DONOVAN J. RICHARDS, ANDREW COHEN, BEN KALLOS, RITCHIE J. TORRES, MARK TREYGER; Committee on Land Use, March 17, 2016.

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).

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

Approved New Applicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Iveliz Plata	219 East 97th Street #3G New York, N.Y. 10029	8
Hyphen Wu	143-45 Barclay Avenue #5D Queens, N.Y. 11355	20
Frances Nicosia	22-73 41st Street #15 Queens, N.Y. 11105	22
Shanise L. Jones	125 Beach 56th Place #303 Queens, N.Y. 11692	31
Nora Stephens	789 Franklin Avenue #2C Brooklyn, N.Y. 11238	35
Jeffrey Griffin	325 Franklin Avenue #2R Brooklyn, N.Y. 11238	36
Anthony Chicchetti	288 President Street Brooklyn, N.Y. 11231	39
Rod Joseph	349 East 19th Street #2B Brooklyn, N.Y. 11226	40
Moreen M. Williams	226 East 54th Street Brooklyn, N.Y. 11203	41
Tamisha Lewis	621 Remsen Avenue Brooklyn, N.Y. 11236	42
Dudley Louis	499 Snediker Avenue Brooklyn, N.Y. 11207	42
Sonia Pryce	5620 Avenue H Brooklyn, N.Y. 11234	46

Approved Reapplicants

<i>Name</i>	<i>Address</i>	<i>District #</i>
Sharron Blake	344 East 28th Street #13E New York, N.Y. 10016	2
India Burrows	277 West 127th Street #9A New York, N.Y. 10027	9
Teesha Foreman	135 West 183rd Street #1I Bronx, N.Y. 10453	14
Senaida Monica Arguelles	61-39 56th Road Maspeth, N.Y. 11378	30
Kathy M. Cobena	51-20 48th Street Woodside, N.Y. 11377	30
Christopher Vitoratos	60-28 54th Place Maspeth, N.Y. 11378	30
Donna L. Cladwell	319 Beach 98th Street #5H Rockaway Park, N.Y. 11694	32
Velma Pitts	830 Ashford Street #4B Brooklyn, N.Y. 11207	42
Alfonso Morrone	2527 Cropsey Avenue Brooklyn, N.Y. 11214	43
Cleopatra Livingston	5022 Avenue I Brooklyn, N.Y. 11234	46
Yuliya Perapechka	109 Bay 29th Street #1 Brooklyn, N.Y. 11214	47
Jason Sherman	27 Ivy Court Staten Island, N.Y. 10309	51

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

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

- | | | |
|------|---|---|
| (1) | M 384 & Res 1015 - | Transfer City funds between various agencies (MN-4) . |
| (2) | M 385 & Res 1016 - | Appropriation of new revenues. (MN-5) . |
| (3) | Int 554-A - | Training on runaway, homeless or sexually exploited youth. |
| (4) | Int 815-B - | Protecting the right to truthful information under the city human rights law. |
| (5) | Int 993-A - | Changing the date of an annual report related to sexually exploited children. |
| (6) | Int 1068-A - | Prohibiting the use of smokeless tobacco at sports arenas and recreational areas that issue tickets. |
| (7) | Res 1011 - | New and changed designations of certain organizations to receive funding (Transparency Resolution) . |
| (8) | SLR 3 - | Christopher Park, S.6891/A.9454 (SLR Home Rule item requiring two-thirds affirmative vote for passage) . |
| (9) | L.U. 334 & Res 1022 - | App. N 160051 ZRY , Mandatory Inclusionary Housing (MIH Plan) . |
| (10) | L.U. 335 & Res 1023 - | App. N 160049 ZRY , Zoning for Quality and Affordability (ZQA Plan) . |
| (11) | L.U. 339 & Res 1017 - | App. 20165375 HAX , Real Property Tax Law, Bronx, Community Board 1, Council District 8. |
| (12) | L.U. 340 & Res 1018 - | App. 20165376 HAX , Real Property Tax Law, Bronx, Community Board 1, Council District 17. |
| (13) | L.U. 345 & Res 1019 - | App. C 150343 ZSK , Zoning Resolution, Brooklyn, Community Board 15, Council District 48. |
| (14) | L.U. 346 & Res 1020 - | App. N 150342 ZRK , Zoning Resolution, Brooklyn, Community Board 15, Council District 48. |
| (15) | L.U. 347 & Res 1021 - | App. 20165414 HAM , Urban Development Action Area, Manhattan, Community Board 11, Council District 8. |
| (16) | Resolution approving various persons Commissioners of Deeds. | |

The Deputy Leader (Council Member Gentile) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

Affirmative – Barron, Borelli, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Matteo, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **47**.

The General Order vote recorded for this Stated Meeting was 47-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int No. 1068-A**:

Affirmative – Barron, Cabrera, Chin, Cohen, Constantinides, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Grodenchik, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **44**.

Negative – Borelli, Cornegy and Matteo – **3**.

The following was the vote recorded for **LU No. 334 & Res 1022 (MIH Plan)**:

Affirmative – Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Mendez, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Vallone, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **42**.

Negative – Barron, Borelli, Grodenchik, Williams and Matteo – **5**.

The following was the vote recorded for **LU No. 335 & Res 1023 (ZQA Plan)**:

Affirmative – Cabrera, Chin, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Ferreras-Copeland, Gentile, Gibson, Greenfield, Johnson, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Maisel, Mealy, Miller, Palma, Reynoso, Richards, Rodriguez, Rosenthal, Salamanca, Torres, Treyger, Ulrich, Vacca, Williams, Van Bramer, and the Speaker (Council Member Mark-Viverito) – **40**.

Negative – Barron, Borelli, Cohen, Grodenchik, Vallone and Matteo - **6**.

Abstention – Mendez – **1**.

There was a brief recess during the Roll Call vote on General Orders due to the balcony being cleared after a number of protests had broken out. The Meeting resumed with the continuation of the Roll Call vote above.

The following Introductions were sent to the Mayor for his consideration and approval: Int Nos. 554-A, 815-B, 993-A, and 1068-A. In addition, official blue-backs verifying the Council's passage of SLR No. 3 were signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) and were subsequently sent to Albany for filing with the State Senate and State Assembly.

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 Res. No. 732-A

Report of the Committee on Higher Education in favor of approving, as amended, a Resolution calling upon the Governor and the State Legislature to increase State funding to the City University of New York and to reach a fair labor agreement with the University's faculty and staff in the 2016-17 New York State Executive Budget.

The Committee on Higher Education, to which the annexed amended resolution was referred on June 10, 2015 (Minutes, p. 2177), respectfully

REPORTS:

Introduction

On Monday, March 21, 2016, the Committee on Higher Education, chaired by Council Member Inez D. Barron, convened for a hearing and voted in favor of adopting Resolution No. 732-A, calling upon the Governor and the State Legislature to increase State funding to the City University of New York and to reach a fair labor agreement with the University's faculty and staff in the 2016-17 New York State Executive Budget, with six in the affirmative, zero in the negative and zero abstentions.

Resolution No. 732-A

The resolution would note that the City University of New York (CUNY) is the public university system of New York City, serving more than 269,000 degree-credit students and 247,000 adult, continuing education and professional education students at 24 campuses across the five boroughs. The resolution would also note that CUNY has a legislatively mandated mission to be "of vital importance as a vehicle for the upward mobility of the disadvantaged in the City of New York... ensuring equal access and opportunity" to students, faculty and staff "from all ethnic and racial groups." Further, the resolution would affirm that CUNY makes higher education possible for a diverse and underprivileged student body, where 76 percent of undergraduates belong to racial and minority groups, 38 percent are immigrants and 39 percent have an annual household income of \$20,000 or less.

The resolution would note that the State has been CUNY's single greatest funder for decades, providing 46 percent of the University's fiscal year 2014 operating budget while tuition revenue financed 44 percent and the city financed the remaining 10 percent. The resolution would also note that the State's proposed Executive Budget would require the city to assume a 30 percent share of CUNY senior college net operating and debt service expenses, totaling \$485 million in the 2016-17 fiscal year.

The resolution would note that the Executive Budget also proposes to raise tuition by \$300 per year for five years. The resolution would also note that since 2008, per-student investment in CUNY has decreased by 14 percent. The resolution would further note that tuition paid by CUNY students has increased by approximately 30.4 percent from fall 2011 to spring 2016 so that it now covers almost 50 percent of the University's budget, compared to less than 40 percent prior to the 2008 recession.

The resolution would state that CUNY faculty and professional staff have been working under an expired contract since 2010 and employees no longer eligible for step increases in salary under the expired contract have gone without raises for six years. The resolution would assert that reduction in the State's financial commitment to CUNY would burden New York City with new and unexpected costs, diminish the quality of education at CUNY and destabilize the long term funding of the University, one of New York's most effective economic engines and a path to the middle class for hundreds of thousands of New Yorkers. The resolution would further assert that CUNY employees deserve recognition for their hard work and dedication and it is in the public interest to maintain accessibility to high quality higher education for all of the city's residents.

In conclusion, this resolution would call upon the Governor and the State Legislature to increase State funding to the City University of New York and to reach a fair labor agreement with the University's faculty and staff in the 2016-17 New York State Executive Budget.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res No. 732-A:)

Res. No. 732-A

Resolution calling upon the Governor and the State Legislature to increase State funding to the City University of New York and to reach a fair labor agreement with the University's faculty and staff in the 2016-17 New York State Executive Budget.

By Council Members Barron, Miller, Chin, Dickens, Gentile, Johnson, Mendez, Wills, Rose, Cabrera, Lander, Dromm, Van Bramer, Menchaca and Kallos.

Whereas, The City University of New York (CUNY) is the public university system of New York City, serving more than 269,000 degree-credit students and 247,000 adult, continuing education and professional education students at 24 campuses across the five boroughs; and

Whereas, CUNY has a legislatively mandated mission to be "of vital importance as a vehicle for the upward mobility of the disadvantaged in the City of New York... ensuring equal access and opportunity" to students, faculty and staff "from all ethnic and racial groups"; and

Whereas, CUNY makes higher education possible for a diverse and underprivileged student body, where 76 percent of undergraduates belong to racial and minority groups, 38 percent are immigrants and 39 percent have an annual household income of \$20,000 or less; and

Whereas, The State has been CUNY's single greatest funder for decades, providing 46 percent of the University's fiscal year 2014 operating budget while tuition revenue financed 44 percent and the city financed the remaining 10 percent; and

Whereas, The State's proposed Executive Budget would require the city to assume a 30 percent share of CUNY senior college net operating and debt service expenses, totaling \$485 million in the 2016-17 fiscal year; and

Whereas, The Executive Budget also proposes to raise tuition by \$300 per year for five years; and

Whereas, Since 2008, per-student investment in CUNY has decreased by 14 percent; and

Whereas, Tuition paid by CUNY students has increased by approximately 30.4 percent from fall 2011 to spring 2016 so that it now covers almost 50 percent of the University's budget, compared to less than 40 percent prior to the 2008 recession; and

Whereas, CUNY faculty and professional staff have been working under an expired contract since 2010 and employees no longer eligible for step increases in salary under the expired contract have gone without raises for six years; and

Whereas, A reduction in the State's financial commitment to CUNY would burden New York City with new and unexpected costs, diminish the quality of education at CUNY and destabilize the long term funding of the University, one of New York's most effective economic engines and a path to the middle class for hundreds of thousands of New Yorkers; and

Whereas, CUNY employees deserve recognition for their hard work and dedication and it is in the public interest to maintain accessibility to high quality higher education for all of the city's residents; now therefore, be it

Resolved, That the City Council of New York calls upon the Governor and the State Legislature to increase State funding to the City University of New York and to reach a fair labor agreement with the University's faculty and staff in the 2016-17 New York State Executive Budget.

INEZ D. BARRON, Chairwoman; JAMES VACCA, FERNANDO CABRERA, JUMAANE D. WILLIAMS, LAURIE A. CUMBO, YDANIS A. RODRIGUEZ; Committee on Higher Education, March 21, 2016. *Other Council Members Attending: Council Members Eugene and Palma.*

Pursuant to Rule 8.50 of the Council, the Acting President Pro Tempore and Deputy Leader (Council Member Gentile) called for a voice vote. Hearing no objections, the Acting President Pro Tempore and Deputy Leader (Council Member Gentile) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 1121

By The Speaker (Council Member Mark-Viverito).

A Local Law to amend the administrative code of the city of New York, in relation to establishing the fees for licensing dogs owned or harbored by city residents; and to repeal certain sections of such code relating thereto.

Be it enacted by the Council as follows

Section 1. Section 17-813 of chapter 8 of title 17 of the administrative code of the city of New York is REPEALED and a new section 17-813 is added to read as follows:

§ 17-813 Dog license fees.

a. Dog license required. A person who owns or harbors a dog in the city of New York shall obtain a license and tag for the dog from the commissioner.

b. License base fee. 1. The base fee for a dog license shall be \$8.50 per year for licenses applied for through December 31, 2016; \$15 per year for licenses applied for beginning on January 1, 2017; \$20 per year for licenses applied for beginning on January 1, 2018; and \$25 per year for licenses applied for beginning on January 1, 2019. If the commissioner offers a license for longer than a one-year period, the fee for such license will be determined by the base fee imposed during the year for which such license is applied. The base fee shall include the cost of a standard tag bearing the dog's license number.

2. The base fee and any additional or late fees required by this section shall be paid when a person applies for a license, except that when a person adopts a dog from an animal shelter operated on behalf of the city of New York, the commissioner shall waive the fee for the first year.

3. The commissioner may, at his or her discretion and in accordance with any other applicable law, waive all or part of the license fee to encourage the adoption of dogs deemed to be under-adopted.

c. Additional fee for an unsterilized dog. In addition to the base fee required by subdivision b of this section, there shall be an additional fee of \$25.50 per year for a dog that has not been sterilized. Such fee shall not be imposed where an owner provides with the license application, or states that the same was provided with a previous license application for the same dog, any of the following:

1. a statement signed by a licensed veterinarian that the dog has been sterilized; or

2. a statement signed by a licensed veterinarian that he or she has examined the dog and found that, because of either old age or a permanent medical condition, the life of the dog would be endangered by sterilization; or

3. a statement, approved as to form by the commissioner and sworn to by the applicant, that the dog has been sterilized.

d. Late fee. Any person who on or prior to December 31, 2016 fails to renew a dog license prior to the date it expires shall be required to pay a late fee of \$1. On and after January 1, 2017, the late fee shall be \$2.

e. Specialty tags. The commissioner may promulgate rules regarding the use of specialty tags for dogs to wear in lieu of the standard tag. An owner choosing to have his or her dog wear a specialty tag shall pay a fee of \$25 in addition to the base fee and any cost incurred by the department to make such tag available.

f. Replacement tags. The commissioner may issue a new tag to a dog owner if the tag bearing the license number for a dog has been lost or destroyed upon payment of a \$7.50 replacement fee. An owner who chooses to receive a replacement specialty tag in lieu of a standard tag shall pay a fee of \$32.50 in addition to any cost incurred by the department to make such tag available.

g. Transferability. A license or tag issued pursuant to this section may not be transferred to another person or dog.

h. Electronic submission. The commissioner may require by rule that an application and any supporting documentation required by this section be submitted electronically.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 1122

By The Speaker (Council Member Mark-Viverito) and Council Members Ferreras-Copeland, Rodriguez, Cabrera, Crowley, Vacca, Constantinides, Rose, Dickens and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of correction issue feminine hygiene products to inmates immediately upon request.

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 9-141 to read as follows:

§ 9-141 Feminine hygiene products. All female inmates in the custody of the department shall be provided at facility expense with feminine hygiene products immediately upon request, unless so providing would substantially impact the safety or security of such inmate, in which case such items must be provided at the point such safety or security risk has abated. For purposes of this section, “feminine hygiene products” means tampons and sanitary napkins for use in connection with the menstrual cycle.

§ 2. This local law takes effect immediately.

Referred to the Committee on Women’s Issues.

Int. No. 1123

By The Speaker (Council Member Mark-Viverito) and Council Members Levin, Ferreras-Copeland, Rodriguez, Cabrera, Crowley, Rose, Dickens and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to feminine hygiene products.

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 17-199.1 to read as follows:

§ 17-199.1 Availability of feminine hygiene products.

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

Feminine hygiene products. The term “feminine hygiene products” means tampons, panty liners, menstrual cups, sanitary napkins, and any other similar items the principal purpose of which is feminine hygiene in connection with the menstrual cycle.

Temporary shelters. The term “temporary shelters” means department of homeless services family shelters and single adult women shelters, department of youth and community development shelters, and human resources administration domestic violence shelters.

b. The department shall provide any female resident in a temporary shelter with an adequate supply of feminine hygiene products.

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

Referred to the Committee on Women’s Issues.

Res. No. 1009

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.8409-A/S.6039-A and A.8441/S.6040, in relation to criminalizing the sale of synthetic cannabinoids and strengthening penalties against retailers of such drugs.

By Council Members Cohen, Cabrera and Rose.

Whereas, Synthetic cannabinoids—often known as synthetic marijuana, K2, or Spice—refers to a range of herbal mixtures sprayed with chemicals in order to produce mind-altering effects; and

Whereas, According to the American Association of Poison Control Centers (“AAPCC”), health effects from synthetic cannabinoids can include severe agitation, seizures, intense hallucinations, psychotic episodes, and can be life-threatening; and

Whereas, Since 2010, AAPCC has tracked the number of calls made to poison centers due to adverse reactions to these drugs; and

Whereas, AAPCC’s data show that in 2015, 7,779 such calls were made across the country, increasing dramatically from 2,668 in 2013 and 3,680 from 2014; and

Whereas, In New York City, the Department of Health and Mental Hygiene issued a warning in April of 2015 detailing the potential dangers of synthetic cannabinoids, citing that in a one-week period in early April, there had been more than 120 emergency room visits related to these drugs in New York City; and

Whereas, Responding to the drugs’ increased use and adverse health effects, in 2012 the New York State Department of Health (“DOH”) expanded the list of banned drugs and chemicals in the State Sanitary Code to include dozens more substances often used in making synthetic drugs; and

Whereas, In 2015, DOH banned two additional classes of compounds, covering potentially hundreds of chemicals; and

Whereas, However, many believed law enforcement agencies still lacked effective tools to enforce these regulations; and

Whereas, To address this problem, New York State Assembly Member Mark Gjonaj and New York State Senator Jeffrey D. Klein introduced A.8409-A/S.6039-A, which amends New York State’s penal law to criminalize the sale of “synthetic cannabinoids”; and

Whereas, A.8409-A/S.6039-A provides five degrees of criminal sale depending on the weight of the drug sold, from class “B” misdemeanor to class “C” felony; and

Whereas, In addition, Assembly Member Mark Gjonaj and Senator Klein introduced A.8441/S.6040, legislation to increase penalties against retailers convicted of selling synthetic cannabinoids; and

Whereas, A.8441/S.6040 would impose a \$2,000 fine for the first violation, a \$5,000 fine for the second, and the loss of a store’s license to sell cigarettes, alcohol, or lottery tickets for the third; and

Whereas, A.8409-A/S.6039-A and A.8411/S.6040 are necessary tools to combat the use of synthetic cannabinoids and the corresponding negative impact on communities; 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.8409-A/S.6039-A and S.6040/A.8441, in relation to criminalizing the sale of synthetic cannabinoids and strengthening penalties against retailers of such drugs.

Referred to the Committee on Public Safety.

Int. No. 1124

By Council Members Constantinides, Rodriguez, Richards, Cornegy, Cabrera, Greenfield, Rose, Chin, Espinal, Ferreras-Copeland, Garodnick, Gentile, Grodenchik, Koo, Lander, Levin, Torres, Treyger, Vallone, Van Bramer, Menchaca, Cohen, Kallos, Lancman, Rosenthal, Levine, Deutsch, Johnson and Ulrich.

A Local Law in relation to establishing a pilot program for the installation of street parking electric vehicle charging stations.

Be it enacted by the Council as follows:

Section 1. Street parking electric vehicle charging program. a. There shall be a pilot program established by the department of transportation to install electric vehicle charging stations at designated locations in the City.

b. No later than 180 days after the effective date of this local law, the department of transportation shall install electric charging stations on at least two but no more than seven on street locations in each of the five boroughs.

c. The department of transportation shall post the location of any such electric vehicle charging stations on its website. The department of transportation shall further post on its website and provide a written report to the speaker of the council on or before March 1, 2018. Such report shall include, but not be limited to, the cost of such pilot program, the rate of utilization of each charging station, the department's recommendations with respect to expanding or making the pilot program permanent, and any other recommended changes to such program.

d. The pilot program shall cease to exist on March 1, 2020.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Transportation.

Int. No. 1125

By Council Members Crowley, Rose and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on sexual abuse.

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 9-141 to read as follows:

§ 9-141 Sexual abuse reporting.

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

Command discipline. The term "command discipline" means any penalty imposed by officers of the department to sanction the officers under their command for the purpose of correcting minor deficiencies and maintaining discipline within the officer's command, and does not include any formal charges.

Department. The term "department" means the New York city department of correction.

Facility investigation. The term "facility investigation" means any investigation of an incident conducted by staff within a departmental facility and does not include any investigation conducted by the investigation division.

Formal charges. The term "formal charges" means any recommendation for sanctions against staff brought by the department pursuant to section 75 of the civil service law, including but not limited to departmental charges commonly known as "charges and specifications."

Investigation division. The term "investigation division" means any departmental unit responsible for investigating allegations of the excessive use of force by staff against inmates, including but not limited to the investigation division and intelligence unit, and does not include any departmental unit solely responsible for investigating allegations of the excessive use of force by staff on inmates within one facility.

Sexual abuse. The term "sexual abuse" has the same meaning as set forth in section 115.6 of title 28 of the code of federal regulations, or successor regulation, promulgated pursuant to the federal prison rape elimination act of 2003.

Staff. The term “staff” means anyone other than an inmate who works at a facility operated by the department.

b. No later than 45 days after the end of each quarter ending March 31, June 30, September 30 and December 31, the department shall post on its website a report containing the following information for the prior quarter, in total and by indicating the rate per 100 inmates in the custody of the department during such prior quarter. Such report shall also disaggregate the following information by whether the sexual abuse was by inmates on inmates or by staff on inmates, and shall further disaggregate this information by the gender of the victims:

1. allegations of sexual abuse;
2. substantiated incidents of sexual abuse;
3. allegations of sexual abuse referred to the department of investigation;
4. allegations of sexual abuse referred to a district attorney;
5. allegations of sexual assault in which a facility investigation was conducted;
6. allegations of sexual assault investigated by the investigation division;
7. the average amount of time in which a departmental investigation into an allegation of sexual abuse was completed, disaggregated by whether such investigation was: (a) a facility investigation, (b) conducted by the investigation division, or (c) another form of departmental investigation;

8. For allegations of sexual abuse by staff on inmates in which a facility investigation was conducted and an investigation by the investigation division was not conducted, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;

9. For allegations of sexual abuse by staff on inmates in which the investigation division conducted an investigation, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;

10. The number of allegations of sexual abuse in which the department of investigation submitted a report;

11. For allegations of sexual abuse in which the department of investigation submitted a report, the following information: (a) the number of allegations in which the department determined that staff violated any departmental rule or directive, (b) the number of allegations in which command discipline was recommended, (c) the number of allegations in which command discipline was imposed, (d) the nature of any command discipline sanctions so imposed, (e) the number of allegations in which the department brought formal charges, (f) the number of allegations in which sanctions were imposed pursuant to formal charges, (g) the nature of any sanctions so recommended by the department and/or an administrative law judge as part of formal charges, (h) the nature of any sanctions so imposed by the commissioner. Where the sanctions imposed differed from those recommended pursuant to formal charges, the commissioner must provide a detailed written explanation regarding the reasons for varying from the recommendation;

12. allegations of sexual abuse by staff on inmates in which staff received a modified placement as a result of such allegation;

13. allegations of sexual abuse by staff on inmates in which staff was removed from contact with inmates of the opposite sex as the person allegedly abused as a result of such allegation; and

14. *allegations of sexual abuse by staff on inmates in which staff was removed from contact with all inmates as a result of such allegation.*

c. The department shall attempt to obtain the following information from any district attorney's office to whom the department has referred an inmate or staff for criminal prosecution for allegations of sexual abuse and shall post such information for the prior year by the 20th day of January each year on the department website: the total number of cases referred for criminal prosecution, the number that were actually prosecuted, the number in which the defendant was charged with a felony, and the number in which the defendant was charged with a misdemeanor.

d. The information in subdivisions b and c of this section shall be compared to previous reporting periods, and shall be permanently stored on the department's website.

§ 2. This local law takes effect September 30, 2016.

Referred to the Committee on Fire and Criminal Justice Services.

Int. No. 1126

By Council Member Dickens.

A Local Law to amend the administrative code of the city of New York, in relation to regulating valet parking.

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 34 to read as follows:

Subchapter 34

VALET PARKING

§ 20-547. *Definitions*

§ 20-548. *License required*

§ 20-549. *Application*

§ 20-550. *Operating requirements*

§ 20-551. *Violations*

§ 20-547 *Definitions. For the purpose of this subchapter, the following terms shall have the following meanings:*

Valet parking. The term "valet parking" shall mean the receiving and taking possession of any vehicle for purposes of driving, moving, parking or storing of such vehicle, whether or not a charge is imposed for such activity.

Valet parking operator. The term "valet parking operator" shall mean any person engaged in the business of valet parking.

Valet parking attendant. The term "valet parking attendant" shall mean any employee or agent of a valet parking operator who engages in valet parking or the storage or handling of the key or other operating device for a vehicle for purposes of valet parking.

Licensee. The term "licensee" shall mean any person authorized by the department to be a valet parking operator.

Patron. The term "patron" shall mean a customer or client of a valet parking business.

Public right-of-way. The term "Public right-of-way" shall mean a public highway, road, street, avenue, alley, driveway, path, sidewalk, roadway or any other public place or public way.

§ 20-548. *License required. It shall be unlawful for any person to engage in valet parking that involves the transport of vehicles on or over any public right-of-way without a valid valet parking operator license issued by the department. No such license is required under this subchapter if the valet parking is provided for a non-recurring special event at a private residence.*

§ 20-549. *Application.* The application for a valet parking operator license or for any renewal thereof shall be in writing in such form and manner as the commissioner shall prescribe and shall state each of the following:

- a. The name and location of the entity or entities to be provided with valet parking;
- b. The seating capacity or other occupancy capacity of the entity or entities to be provided with valet parking;
- c. A signed statement from the owners of the entity or entities to be provided with valet parking services of the applicant. The applicant shall notify the department within fifteen days of any modification, transfer, amendment or termination of any agreement requesting the services of a valet parking operator;
- d. The hours of operation and the number of employees of the applicant.
- e. The routes to be used between the passenger loading/unloading zone or other vehicle pickup point and the parking or storage location.
- f. A copy of the written contract between the applicant and the operator of any third-party parking facility designated as the parking or storage location for the licensee. The applicant shall notify the department within fifteen days of any modification, transfer, amendment or termination of the contract.
- g. A signed statement from the operator of any third-party parking facility designated as the parking or storage location as to that facility's ability to accept the cars, the total number of spaces to be reserved for the applicant's operations, and the total number of spaces in such facility.
- h. The location of any proposed signs related to the applicant's valet parking services;
- i. Proof that the applicant has valid insurance in satisfaction of the requirements specified in section 20-550 of this subchapter; and
- j. Disclosure of all prior valet parking operator licenses issued to the applicant by the department.

§ 20-550. *Operating requirements.*

- a. *Operating in the public right-of-way.* In the course of providing valet parking services, the licensee shall at no time, unless expressly authorized by the department and posted on the license:
 1. Park and leave standing any patron's vehicle upon any portion of the public right-of-way; or
 2. Use the public right-of-way for vehicle pickup and drop off locations.
- b. For the purpose of enforcing this subchapter the department in conjunction with the department of transportation may promulgate rules and regulations concerning the permissible use of the public right-of-way which may include the use of parking meters and streets.
- c. *Receipt.* The licensee shall issue a sequentially numbered receipt to each patron upon receipt of patron's vehicle for valet parking. The receipt shall explicitly state the terms and conditions under which the vehicle is being accepted.
- d. *Pedestrian walkways.* The licensee shall ensure that pedestrian walkways are not blocked at any time during valet parking operations.
- e. *Parking on private property.* The licensee shall at no time allow any patron's vehicle to be parked upon private property without a signed statement of authorization by the owner or other person having legal control of such private property.
- f. *Valet parking attendants.* All valet parking attendants must have a valid driver's license. The licensee shall not allow any employee who has been convicted within the previous five years of a felony involving automobile theft, automobile vandalism, reckless driving or driving under the influence of drugs or alcohol to drive a patron's vehicle or handle a patron's vehicle keys.
- g. *Locking of vehicles.* The licensee shall ensure that the valet parking attendants lock the ignition and the entry points to any parked vehicle, remove the keys from such vehicle and maintain the key in a secure location. The licensee shall ensure that the valet parking attendants do not store any key or other operating device in or upon the parked vehicle.
- h. *Sign requirements.* Each licensee shall maintain, at each location where a patron surrenders their vehicle for parking, a sign in a size and style to be determined by the department plainly visible to oncoming traffic, displaying the licensee's name, the address and telephone number of the business, the hours of operation, the permit number and valet parking fees, if any.
- i. *Records.* Every licensee shall maintain an updated list of all of the names and addresses of its employees who provide valet parking services. Such list shall be maintained at the business listed on the license application. The licensee shall also maintain all financial records related to the valet parking operation for a

minimum of three years and shall make them available to the department at any time during the licensee's hours of operation.

j. Insurance requirements.

1. The licensee shall obtain, carry, maintain and keep in full force and effect a policy or policies of comprehensive general liability insurance with a minimum limit of one million dollars per occurrence, combined single limit coverage and two million dollars in the aggregate against any injury, death, loss or damage as a result of wrongful or negligent acts or omissions by the licensee, its agents and employees. The licensee shall also carry a policy or policies of comprehensive vehicle liability insurance covering personal injury and property damage with minimum limits of one million dollars per occurrence, combined single limit, covering any vehicle in the possession of the licensee, its agents and employees in conjunction with the operation of vehicles pursuant to the permit.

2. The licensee shall provide the department with a certificate or certificates of insurance, showing that the policies of insurance required by this section are in effect in the required amounts. All of the policies required under this section shall contain an endorsement specifically stating that the coverage contained in the policies affords insurance pursuant to the terms and conditions as set forth in this section.

k. Fees and license term.

1. There shall be a biennial fee of one hundred dollars for a license to engage in the business of valet parking at each place of business where valet parking is provided in the city.

2. All even-numbered licenses shall expire on December 31 of the even-numbered year, and all odd-numbered licenses shall expire on December 31 of the odd-numbered year, next succeeding in the year in which the license is issued.

§ 20-550. *Violation.* Any person who violates any of the provisions of this subchapter or any rule or regulation issued thereunder shall be subject to a civil penalty of not more than five hundred dollars for each violation.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Consumer Affairs.

Int. No. 1127

By Council Member Eugene.

A Local Law to amend the administrative code of the city of New York, in relation to regulating key kiosks.

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new subchapter 34 to read as follows:

**SUBCHAPTER 34
KEY KIOSKS**

§ 20-547 *a. Definitions.* For purposes of this subchapter, the following terms have the following meanings:
Electronically-stored key. The term "electronically-stored key" means any graphic image of a key that is stored as data to be accessed at a key kiosk for the purpose of recreating a physical key.

Key. The term "key" means any instrument, including any visual or electronic representations thereof, that is intended to be used on a specific lock.

Key kiosk. The term "key kiosk" means any automated machine that duplicates physical or electronically-stored keys on demand in exchange for a fee.

Master key. The term "master key" means any key that will open two or more different locks.

b. License required. 1. Any person or organization that provides the services of a key kiosk shall obtain a license for each such key kiosk.

2. Each key kiosk shall display such license in a conspicuous place where anyone using the kiosk can see the license.

3. The commissioner shall set a fee for such license.

c. Unauthorized uses; penalties. 1. No person other than a key owner or the key owner's authorized agent may use the services of a key kiosk to create or make duplicates of that key.

2. No person may use the services of a key kiosk to create or make duplicates of a master key or of any key that is marked "do not duplicate."

3. Any person who violates the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000, imprisonment for not more than three months, or both. In addition to or as an alternative to such penalty, any person who is found to have violated the provisions of this section shall be subject to a civil penalty of not more than \$1,000 which may be recovered in a proceeding before the department.

d. Operational requirements. The commissioner shall only license key kiosks that do the following:

1. Require a fingerprint scan to access electronically-stored keys;

2. Record all transactions in a manner similar to ATMs;

3. Require both sides of any electronically-stored keys to be scanned against a white background from a maximum distance of four inches;

4. Provide real-time notification to key kiosk account holders whenever new activity occurs on an account;

5. Store only necessary personal information of account holders and customers and maintain it in a manner, such as with encryption, that prevents any unauthorized party from linking any key to a particular person, location or lock; and

6. Stamp all physical keys that it provides with the license number that the commissioner issues for that key kiosk.

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

Referred to the Committee on Consumer Affairs.

Res. No. 1010

Resolution calling upon the Metropolitan Transportation Authority to study and expand the designation of entry-only and exit-only turnstiles at busy subway stations during peak times.

By Council Member Eugene.

Whereas, The subway system is the backbone of New York City's transit network, serving as an essential mode of transportation that millions of New Yorkers rely on every day; and

Whereas, The subway system is experiencing record high ridership levels, with annual subway ridership higher in 2014 than it had been in more than 65 years; and

Whereas, Metropolitan Transportation Authority ("MTA") officials have repeatedly cited the high ridership levels, and the resulting crowding in trains and stations, as a major cause of delays throughout the system; and

Whereas, In recent months the MTA has implemented a series of measures aimed at reducing delays in the subway system, including increasing the use of platform control personnel tasked with getting passengers off and on trains more efficiently and quickly at some of the busiest stations; and

Whereas, At very busy stations during peak times exiting passengers are often forced to wait to exit as crowds enter using all available turnstiles, or vice versa; and

Whereas, Setting aside certain turnstiles for the exclusive use of exiting passengers and others for entering passengers could help to move passengers into and out of crowded stations at busy times more quickly and efficiently; and

Whereas, The MTA currently implements such practices in a limited number of instances, such as at Grand Central-42nd Street; and

Whereas, The MTA should study the effectiveness of these practices where they are currently in use and expand them to more stations and times of day where and when it determines that such measures might be effective at improving passenger flow; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority to study and expand the designation of entry-only and exit-only turnstiles at busy subway stations during peak times.

Referred to the Committee on Transportation.

Int. No. 1128

By Council Members Ferreras-Copeland, The Speaker (Council Member Mark-Viverito), Rodriguez, Dromm, Williams, Cabrera, Garodnick, Crowley, Vacca, Constantinides, Rose, Dickens, Chin and Ulrich.

A Local Law to amend the New York city charter and administrative code of the city of New York, in relation to the provision of feminine hygiene products in schools.

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 528-a to read as follows:

§ 528-a. Provision of feminine hygiene products.

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

Feminine hygiene products. The term “feminine hygiene products” means tampons and sanitary napkins for use in connection with the menstrual cycle.

School. The term “school” means any elementary, middle or high school within the jurisdiction of the New York city department of education and in any educational facility owned or leased by the city of New York, holding some combination thereof including, but not limited to, district 75 schools and charter schools.

b. The department, in collaboration with the department of health and mental hygiene, shall ensure that students in each school have direct access to feminine hygiene products in school bathrooms.

§ 2. Chapter 1 of title 17 of the administrative code is amended by adding a new section 17-187.1 to read as follows:

§ 17.187.1. Feminine hygiene products in schools.

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

Feminine hygiene products. The term “feminine hygiene products” means tampons and sanitary napkins for use in connection with the menstrual cycle.

School. The term “school” means any elementary, middle or high school within the jurisdiction of the New York city department of education and any educational facility owned or leased by the city of New York, holding some combination thereof including, but not limited to, district 75 schools and charter schools.

b. The department shall provide each school with an adequate supply of feminine hygiene products sufficient to meet the needs of its students.

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

Referred to the Committee on Women’s Issues.

Preconsidered Res. No. 1011

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

By Council Member Ferreras-Copeland.

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

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Borough-Wide Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the NYC Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the HIV/AIDS - End the Epidemic Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the NYC Support Our Seniors Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 9; and be it further

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Energy Retrofits for Small Buildings Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Court-Involved Youth Mental Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Alternatives to Incarceration (ATI’s) Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the AMIDA Care Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Immigrant Health Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Hepatitis B/C Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Discretionary Childcare Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Coalition Theaters of Color Initiative in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 19; and

Resolved, That the City Council approves the new organizations and a change in a certain organization that will receive equipment from the organization funded by the Beating Hearts Initiative as designated in the Transparency Resolution dated September 17, 2015, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new description for the Description/Scope of Services for certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2016 Expense Budget, as set forth in Chart 21.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for Exhibits, please see the attachment to the resolution following the Report of the Committee on Finance for Res No. 1011 printed in these Minutes).

Int. No. 1129

By Council Members Kallos, Cabrera and Reynoso.

A Local Law to amend the New York city charter, in relation to alternate eligibility for designation or nomination of a candidate for an elected office of the city.

Be it enacted by the Council as follows

Section 1. Subdivision a of section 1057-b of the New York city charter, as added at General Election November 2, 2010, is amended to read as follows:

a. The number of signatures required for any designating petition or independent nominating petition for the designation or nomination of a candidate for an elected office of the city shall be governed by applicable provisions of the New York state election law, except that in no event shall the number of signatures required exceed the following limits:

(1) for the offices of mayor, comptroller, or public advocate, three thousand seven hundred fifty signatures;

(2) for the office of borough president, two thousand signatures; [and]

(3) for the office of member of the city council, four hundred fifty

Signatures[.]; *and*

(4) *for the offices of mayor, comptroller, public advocate, borough president, or member of the city council, zero signatures, where the candidate has met the requirements set forth in section 1057-c of this chapter.*

§ 2. Chapter forty-six of the New York city charter is amended by adding a new section 1057-c to read as follows:

§ 1057-c. *Designation or nomination; alternate eligibility method. a. The method by which a candidate may qualify to be on a ballot for an elected office of the city shall be governed by applicable provisions of the*

New York state election law and section 1057-b of this chapter, except that as an alternative to meeting the requirements set forth in the New York state election law and in section 1057-b of this chapter a candidate for an elected office of the city may qualify to be on the ballot by raising funds sufficient to meet the minimum threshold set forth for such office pursuant to subdivision two of section 3-703 of the administrative code.

b. The campaign finance board shall issue a certificate designating or nominating a person for public office to a person who qualifies pursuant to the method provided for in subdivision a of this section. Such certificate shall be delivered by such person to the board of elections in the city of New York in the manner prescribed by the board of elections in the city of New York.

c. Upon the filing of such certificate designating or nominating a person for an elected office of the city, the board of elections in the city of New York shall mail notice thereof to each such person. Such notice shall also state the last day to decline such designation or nomination, and include a statement that the candidate's name shall appear on the ballot as it appears in such notice.

§ 3. Subdivision 1 of section 3-703, as amended by local law 67 for the year 2007, is amended to read as follows:

1. To be eligible for optional public financing under this chapter, a candidate for nomination for election or election must:

[(a) meet all the requirements of law to have his or her name on the ballot;]

(a)[(b)] be a candidate for mayor, public advocate, comptroller, borough president or member of the city council in a primary, special, or general election and meet the threshold for eligibility set forth in subdivision two of this section;

(b)[(c)] choose to participate in the public funding provisions of this chapter, by filing a written certification in such form as may be prescribed by the campaign finance board, which sets forth his or her acceptance of an agreement to comply with the terms and conditions for the provision of such funds. The deadline for filing such certification for a primary and general election shall be:

(i) the tenth day of June in the year of the covered election, or such other later date as the board shall provide, provided, however, that any candidate who files such written certification prior to such date shall be permitted to rescind such certification in writing on or before such date;

(ii) the thirtieth day after a special election is held to fill a vacancy for the office sought by the candidate; whichever is later. The deadline for filing such certification for a special election to fill a vacancy shall be on the seventh day after the proclamation of such special election. A certification may be filed on or before the seventh day after the occurrence of an extraordinary circumstance in an election, as declared by the campaign finance board, following the receipt and review of a petition submitted by a candidate in such election. For purposes of this paragraph, an "extraordinary circumstance" shall include the death of a candidate in the election, the resignation or removal of the person holding the office sought, and the submission to the board of a written declaration by an officeholder that terminates his or her campaign for reelection;

(c)[(d)] obtain and furnish to the campaign finance board and his or her principal committee or authorized committees must obtain and furnish to the board any information it may request relating to his or her campaign expenditures or contributions and furnish such documentation and other proof of compliance with this chapter as may be requested by such board, provided, however, that the board shall accept such required documentation through an electronically scanned transmission;

(d)[(e)] notify the board in the candidate's written certification as to:

(i) the existence of each authorized committee authorized by such candidate that has not been terminated, (ii) whether any such committee also has been authorized by any other candidate, and (iii) if the candidate has authorized more than one authorized committee, which authorized committee has been designated by the candidate as the candidate's principal committee for the election(s) covered by the candidate's certification; provided, that such principal committee (i) shall be the only committee authorized by such candidate to aid or otherwise take part in the election(s) covered by the candidate's certification, (ii) shall not be an authorized committee of any other candidate, and (iii) shall not have been authorized or otherwise active for any election prior to the election(s) covered by the candidate's certification. The use of an entity other than the designated principal committee to aid or otherwise take part in the election(s) covered by the candidate's certification shall be a violation of this section and shall trigger the application to such entity of all provisions of this chapter governing principal committees;

(e)(f) not accept and his or her principal committee or authorized committees must not accept, either directly or by transfer, any contribution or contributions from any one individual, partnership, political committee, labor organization or other entity for all covered elections held in the same calendar year in which he or she is a participating candidate or a non-participating candidate which in the aggregate: (i) for the office of mayor, public advocate or comptroller shall exceed four thousand five hundred dollars, or (ii) for borough president, shall exceed three thousand five hundred dollars, or (iii) for member of the city council, shall exceed two thousand five hundred dollars; provided that a participating candidate and his or her principal committee or a non-participating candidate and his or her authorized committees may accept additional contributions which do not exceed one half the amount of the applicable limitation for any run-off primary election, additional day for voting held pursuant to section 3-108 of the New York state election law, special election to fill a vacancy, run-off special election to fill a vacancy, delayed or otherwise postponed election, or election held pursuant to court order which is a covered election and in which the candidate seeks nomination for election or election; and provided further that for the purposes of this paragraph, contributions made by different labor organizations shall not be aggregated or treated as contributions from a single contributor for purposes of the contribution limit that is set forth in this paragraph if those labor organizations make contributions from different accounts, maintain separate accounts with different signatories, do not share a majority of members of their governing boards, and do not share a majority of the officers of their governing boards; and provided further that if state law prescribes a contribution limitation of a lesser amount, this paragraph shall not be deemed to authorize acceptance of a contribution in excess of such lesser amount. The maximum contributions set forth in this paragraph shall be adjusted in accordance with subdivision seven of this section;

(f)(g) maintain and his or her principal committee or authorized committees must maintain such records of receipts and expenditures for a covered election as required by the board;

(g)(h) not make expenditures from or use his or her personal funds or property or the personal funds or property jointly held with his or her spouse, domestic partner, or unemancipated children in connection with his or her nomination for election or election except as a contribution to his or her principal committee in an amount that does not exceed three times the maximum contribution amount applicable pursuant to paragraph (f) of this subdivision. Such candidate shall not make expenditures from or use other personal funds or property of his or her spouse, domestic partner or unemancipated children in connection with his or her nomination for election or election; provided that this paragraph shall not be construed to limit contributions by persons other than the candidate;

(h)(i) not make and his or her principal committee must not make expenditures which in the aggregate exceed the applicable expenditure limitations set forth in section 3-706;

(i)(j) meet the threshold for eligibility set forth in subdivision two of this section;

(j)(k) not accept and his or her principal committee must not accept, either directly or by transfer, any contribution, loan, guarantee, or other security for such loan from any political committee for all covered elections held in the same calendar year in which he or she is a participating candidate, except as is otherwise provided for contributions by political committees pursuant to section 3-707 of this chapter; and

(k)(l) not accept and his or her principal committee or authorized committees must not accept, either directly or by transfer, any contribution, loan, guarantee, or other security for such loan from any corporation, limited liability company, limited liability partnership or partnership, other than a corporation, limited liability company, limited liability partnership or partnership that is a political committee as defined in subdivision eleven of section 3-702 of this chapter, for all covered elections held in the same calendar year in which he or she is a participating or non-participating candidate, provided, however, that where a contribution is from a contributor whose name is followed by a professional designation including but not limited to "M.D.", "Esq." and "C.P.A." the board shall not treat such contribution as coming from a corporation, limited liability company, limited liability partnership or partnership in the absence of further indicia that such contribution is from such an entity;

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

(i) The conflicts of interest board shall provide a participating candidate with a receipt indicating proof of compliance with section 12-110 of the administrative code of the city of New York in such form as the

conflicts of interest board shall determine. Such receipt as provided by the conflicts of interest board shall indicate the time and date of filing of the financial disclosure report.

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

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

(m)[(n)] satisfy any claim made by the board for the payment of civil penalties or repayment of public funds that remains outstanding against such candidate or his or her principal committee or an authorized committee of such candidate from a prior covered election, if (i) the candidate had written notice of such potential claim and ineligibility to receive public funds prior to filing a written certification for the current covered election pursuant to paragraph (c) of this subdivision, or (ii) in the event no such timely notice has been given pursuant to subparagraph (i), the candidate has been given an opportunity to present to the board reasons he or she should be eligible to receive public funds.

(n)[(o)] agree that expenditures by his or her principal committee for the purpose of advocating a vote for or against a proposal on the ballot in an election that is also a covered election shall be subject to the contribution and expenditure limitations applicable in such covered election.

§ 4. This local law shall take effect 120 days following its ratification by the voters of this city in a referendum to be held in the general election next following its enactment, provided that the campaign finance board and the board of elections in the city of New York may, following such ratification but before such effective date, take such measures as are necessary, including the promulgation of rules, to implement this local law.

Referred to the Committee on Governmental Operations.

Int. No. 1130

By Council Members Kallos, Lander, Cabrera, Rose and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to the amount of campaign contributions that may be matched with public funds and increasing the cap on public funds available

Be it enacted by the Council as follows:

Section 1. Subdivision 2 of section 3-703 of the administrative code of the city of New York, as amended by local law 67 for the year 2007, is amended to read as follows:

2. (a) The threshold for eligibility for public funding for participating candidates in a primary or general election, or special election to fill a vacancy, shall be in the case of:

(i) mayor, not less than two hundred fifty thousand dollars in matchable contributions comprised of sums up to [one hundred seventy-five] *two hundred fifty* dollars per contributor including at least one thousand matchable contributions of ten dollars or more;

(ii) public advocate and comptroller, not less than one hundred twenty-five thousand dollars in matchable contributions comprised of sums of up to [one hundred seventy-five] *two hundred fifty dollars* per contributor including at least five hundred matchable contributions of ten dollars or more;

(iii) borough president, an amount equal to the number of persons living in such borough as determined by the last census multiplied by two cents in matchable contributions comprised of sums of up to [one hundred seventy-five] *two hundred fifty* dollars per contributor including at least one hundred matchable contributions of ten dollars or more from residents of the borough, or ten thousand dollars comprised of sums of up to [one hundred seventy-five] *two hundred fifty* dollars per contributor, whichever is greater.

(iv) member of the city council, not less than five thousand dollars in matchable contributions comprised of sums of up to [one hundred seventy-five] *two hundred fifty* dollars per contributor including at least seventy-five matchable contributions of ten dollars or more from residents of the district in which the seat is to be filled.

§ 2. Subdivision 2 of section 3-705 of the administrative code of the city of New York, as amended by local law 67 for the year 2007, is amended to read as follows:

2. (a) If the threshold for eligibility is met, the participating candidate's principal committee shall receive payment for qualified campaign expenditures of six dollars for each one dollar of matchable contributions, up to [one thousand fifty dollars] *one thousand five hundred* in public funds per contributor (or up to five hundred twenty-two dollars in public funds per contributor in the case of a special election), obtained and reported to the campaign finance board in accordance with the provisions of this chapter.

(b) Except as otherwise provided in subdivision three of section 3-706, in no case shall the principal committee of a participating candidate receive public funds pursuant to paragraph (a) above in excess of an amount equal to [fifty-five] *eighty-five* percent of the expenditure limitation provided in subdivision one of section 3-706 for the office for which such candidate seeks nomination for election or election.

§ 3. This local law takes effect 120 days after it becomes law, provided, however, that the campaign finance board shall take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

Referred to the Committee on Governmental Operations.

Preconsidered State Legislation Resolution No. 3

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Hoylman, S.6891, and Assembly Member Glick, A.9454, "AN ACT to authorize the city of New York to discontinue the use as city parkland of Christopher Park in the borough of Manhattan and to convey the city's interest in the real property to the United States for park, monument, historic, or recreational purposes".

By Council Members Koslowitz, Kallos and Ulrich.

Whereas, Bills have been introduced in the New York State Legislature by Senator Hoylman, S.6891, and Assembly Member Glick, A.9454, "AN ACT to authorize the city of New York to discontinue the use as city parkland of Christopher Park in the borough of Manhattan and to convey the city's interest in the real property to the United States for park, monument, historic, or recreational purposes."; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered and approved by the Committee on Committee on State and Federal Legislation)

Int. No. 1131

By Council Members Lander, Johnson, Vacca, Richards, Gentile and Chin.

A Local Law to amend the administrative code of the city of New York, in relation to the sale of tobacco products in pharmacies.

Be it enacted by the Council as follows:

Section 1. Subchapter one of chapter one of title 17 of the administrative code of the city of New York is amended by adding new section 17-706.1 to read as follows:

§ 17-706.1 *Prohibition on the distribution of tobacco products in pharmacies.* a. *For the purposes of this section, pharmacy shall have the same meaning as the term in section 20-712 of the code.*

b. *It shall be unlawful for any pharmacy to sell or offer for sale, or to possess with intent to sell any tobacco product.*

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

Referred to the Committee on Health.

Int. No. 1132

By The Public Advocate (Ms. James), The Speaker (Council Member Mark-Viverito) and Council Members Espinal and Rose.

A Local Law to amend the New York city charter, in relation to establishing a publicly accessible tracking database of all commitments made by the city as part of any city-sponsored application subject to the uniform land use review procedure.

Be it enacted by the Council as follows:

Section 1. Section 197-d of the New York city charter is amended by adding a new subdivision h to read as follows:

h. Such agency as the mayor shall designate shall establish and maintain a publicly accessible online database to track all written commitments made by the mayor, or any agent acting on behalf of the mayor, to the council, a council member, a borough president or a community board, or in any written material filed with the department of city planning pursuant to subdivision b of section 197-c, in connection with any decision subject to council review pursuant to subdivision b of this section that is: (i) in relation to a city-sponsored application; (ii) approved or approved with modifications by the council pursuant to this section; and (iii) not subject to further review by the mayor pursuant to subdivisions e or f of this section. Such agency shall record such commitments in such database within 30 days of final approval of such city-sponsored application and shall update the progress toward fulfillment of such commitments not less than annually thereafter. The record of each commitment in such database shall include the application number of the related city-sponsored application and the date such application was finally approved. Beginning June 30, 2016, and annually thereafter, such agency shall report to the mayor, the speaker of the council, the borough presidents and the community boards the information contained in such database relating to applications that have unfulfilled commitments and applications for which all relevant commitments have been fulfilled within the preceding six months.

§ 2. This local law shall become effective 90 days after it becomes law.

Referred to the Committee on Land Use.

Res. No. 1012

Resolution calling upon the State Legislature to pass and the Governor to sign legislation that amends the Tax Law to exempt feminine hygiene products from all state and local sales taxes.

By Council Members Rodriguez, Ferreras-Copeland, Dickens, The Speaker (Council Member Mark-Viverito), Williams, Vacca, Constantinides, Rose, Chin and Ulrich.

Whereas, The power of taxation in the State of New York is exclusively reserved to the New York State Legislature; and

Whereas, The City of New York, therefore, has no inherent ability to levy or forgive any taxes, but has only the powers to administer and collect taxes as delegated and directed by the State; and

Whereas, Chapter 60 of the Consolidated Laws of the State of New York details the laws of taxation in the State of New York and is commonly referred to as the Tax Law; and

Whereas, Article 28 of the Tax Law contains provisions for the assessment and collection of sales taxes throughout the state; and

Whereas, Section 1101 of the Tax Law details the imposition of sales and use taxes on certain goods and services; and

Whereas, Section 1115 of the Tax Law details exemptions to the imposition of sales and use taxes on certain goods and services; and

Whereas, Item three on this list of exemptions includes “drugs and medicines... and products consumed by humans for the preservation of health;” and

Whereas, Publication 840 issued by the New York State Department of Taxation and Finance describes feminine hygiene products as items that “maintain personal cleanliness” rather than items necessary for the preservation of health, and thereby determines that feminine hygiene products are subject to sales taxes; and

Whereas, Tax Bulletin ST-193 issued by the New York State Department of Taxation and Finance further categorizes feminine hygiene products as general merchandise, rather than products necessary for the preservation of health; and

Whereas, The continued categorization of feminine hygiene products as general merchandise fails to recognize the evolving public sentiment, as documented by recent reports by the New York Times and The Guardian, as well as letters from residents of New York City sent to Council Members and expressed by various national and international organizations and movements, that menstruation is a core component of a woman’s reproductive and overall health and well-being; and

Whereas, Feminine hygiene products are vital for the health, well-being and full participation of women and girls, and it has been reported that a lack of access to feminine hygiene products can cause emotional duress, physical infection and disease, and can lead to cervical cancer; and

Whereas, According the U.S. Census Bureau, women and girls comprise over half the population of New York City, New York State, and across the United States of America, thus the needs of women to maintain their health and well-being are indeed necessary for the preservation of public health; and

Whereas, The tax laws of several states, including Massachusetts and New Jersey, recognize feminine hygiene products as necessary products and thus exempt such products from the imposition of sales taxes; and

Whereas, The State of New York should join those states in relieving the imposition of the sales taxes on feminine hygiene products; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass and the Governor to sign legislation that amends the Tax Law to exempt feminine hygiene products from all state and local sales taxes.

Referred to the Committee on Women’s Issues.

Res. No. 1013

Resolution calling upon the City of New York to make Earth Day 2016 a car-free day for private and all non-essential city vehicles.

By Council Members Rodriguez, Constantinides and Chin.

Whereas, Earth Day is an internationally-recognized event that began in 1970 and is celebrated on April 22nd each year; and

Whereas, The central purpose of Earth Day is to raise awareness around the importance of protecting the environment; and

Whereas, New York City has a long history with this commemoration of our planet, as 45 years ago, for the inaugural event, Mayor John Lindsay shut down Fifth Avenue and made Central Park available for the celebration; and

Whereas, According to the National Aeronautics and Space Administration (NASA), the planet is getting warmer as a result of anthropogenic climate change; and

Whereas, According to NASA, not only have the 10 warmest years ever taken place during the last 12 years, but Antarctica lost 36 cubic miles of ice between 2002 and 2005, and the amount of carbon dioxide absorbed by the oceans has increased by 2 billion tons each year; and

Whereas, New York has, over the last several years, taken concrete steps toward limiting its carbon footprint; and

Whereas, Specifically, according to the de Blasio Administration's "One New York" Plan, the City has reduced its greenhouse gas emissions by 19 percent since 2005, and according to the 2014 inventory of New York City Greenhouse Gas Emissions, the city reduced total energy consumption by 8%, and increased biofuel usage in buildings by over 1,000 percent between 2002 and 2005; and

Whereas, The 2014 inventory of New York City Greenhouse Gas Emissions stated that, in 2013, the city emitted 11.4 million tons of carbon dioxide equivalent, 24 percent of which, or 2.8 million tons, came from the city's 2 million vehicles; and

Whereas, The 2014 inventory of New York City Greenhouse Gas Emissions also noted that Mayor de Blasio committed to reducing the City's greenhouse gas emissions 80 percent by 2050 and 35 percent by 2025; and

Whereas, New York City has a major leadership role on issues of importance both nationally and worldwide, with a population larger than that of 38 states and a gross domestic product equivalent to that of South Korea, so City government should take the lead on car-free Earth Day by prohibiting the use of private and non-essential City vehicles on that day; and

Whereas, Based on data from the 2014 inventory of New York City Greenhouse Gas Emissions, vehicles account for 24 percent of the 48 million metric tons of carbon dioxide equivalent that are emitted each year, which is 11.5 million tons per year, or 31,000 tons per day; and

Whereas, Based on the above figures, declaring Earth Day 2016 a car-free day – with the exception of essential vehicles – could reduce carbon dioxide emissions by about 30,000 tons of carbon dioxide equivalent, and would send a strong message nationally and worldwide that reducing greenhouse gas emissions is of the utmost importance; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the City of New York to make Earth Day 2016 a car-free day for private and all non-essential city vehicles.

Referred to the Committee on Transportation.

Res. No. 1014

Resolution calling upon the State Legislature to pass and the Governor to sign legislation amending the Alcoholic Beverage Control Law to recognize the New York City Identity Card (IDNYC) as a valid form of identification for purposes of purchasing alcohol.

By Council Members Torres, Constantinides and Chin.

Whereas, To prevent underage purchase and consumption of alcoholic beverages, the Alcohol Beverage Control Law (ABC Law) dictates the types of identification that are acceptable proof of age for purchasing alcohol; and

Whereas, For purposes of purchasing alcohol, ABC Law recognizes the following forms of photo identification to prove age: both a driver's license and non-driver I.D. issued by the Department of Motor Vehicles of New York State, or any other U.S. state or territory, by the federal government, or a provincial government of Canada; U.S. military I.D; and valid passports issued by the U.S. or any other country; and

Whereas, In July of 2014, New York City created a municipal ID program (IDNYC) and 10% of the city's eligible population, or nearly three quarters of a million persons, applied for a card in the program's first year; and

Whereas, IDNYC provides identification to all New Yorkers, but is especially useful to vulnerable communities, i.e. undocumented immigrants, which might encounter difficulty in obtaining or retaining government issued identification; and

Whereas, IDNYC enables the cardholder to access institutions such as banks and government buildings, and it is accepted by NYPD for identification purposes; and

Whereas, Given the widespread use and popularity of IDNYC, its utility to various communities, and the need for legal, commercial participation by those communities; and

Whereas, Because IDNYC is issued to individuals only after careful vetting and the submission of various documents proving identification, IDNYC should be among the forms of identification recognized by ABC Law and the SLA; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State Legislature to pass and the Governor to sign legislation amending the Alcoholic Beverage Control Law to recognize the New York City Identity Card (IDNYC) as a valid form of identification for purposes of purchasing alcohol.

Referred to the Committee on Consumer Affairs.

Int. No. 1133

By Council Members Vacca, Rose, Chin and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to the denial of building permits where outstanding charges are owed to the city.

Be it enacted by the Council as follows:

Section 1. Article 105 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.1.2 to read as follows:

§ 28-105.1.2 Denial of permits for certain arrears. *The commissioner shall not issue a permit for a property if \$25,000 or more in covered arrears is owed to the city with respect to such property or if the owners of such property owe, in aggregate, \$25,000 or more in covered arrears to the city. For the purposes of this section, the term "covered arrears" means any of the following:*

1. *Unpaid fines, civil penalties or judgments entered by a court of competent jurisdiction or the environmental control board pursuant to chapter 2 of this title or chapter 2 of title 28 of the administrative code;*
2. *Unpaid and past due fees or other charges lawfully assessed by the commissioner;*
3. *Unpaid and past due fees or liens related to repairs performed by or on behalf of the department of housing preservation and development pursuant to section 27-2125, 27-2127 or 27-2153 of the housing maintenance code;*
4. *Property tax arrears owed to the city; and*
5. *Unpaid and past due sewer rents, sewer surcharges and water rents, and the interest and charges thereon, as such terms are defined by section 11-301 of the administrative code.*

Exceptions:

1. *The commissioner may issue a permit for a property if the applicant certifies and demonstrates to the satisfaction of the commissioner that binding agreements are in force collectively requiring payment of all covered arrears owed by the owners of such property. If the department determines that there is a failure to comply with any such agreement, the commissioner may, after providing notice to the applicant, suspend or revoke such permit pursuant to section 28-105.10 of the administrative code.*
2. *The commissioner may issue a permit for a property where the issuance of such permit is necessary to correct an outstanding violation of this code, the housing maintenance code or any other applicable provisions of law or rule or where the commissioner determines that issuance of such permit is necessary to perform work to protect public health and safety.*
3. *The commissioner may issue a permit for a portion of a property occupied by a tenant who is not an owner of such property or responsible for any covered arrears owed with respect to such property.*

§ 2. Article 105 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-105.5.2 to read as follows:

§ 28-105.5.2 Owner statement. *All applications for permits shall include a certification by the owner of the property for which the permit is sought stating the following:*

1. *A statement as to whether \$25,000 or more in covered arrears are owed to the city with respect to such property;*
2. *A statement as to whether the owners of the property owe, in aggregate, \$25,000 or more in covered arrears to the city;*
2. *For each owner of the property:*
 - 2.1. *The person's full name and business address;*
 - 2.2. *A list of properties in the city for which the person owes covered arrears to the city and, for each such property, the amount of such covered arrears owed; and*
 - 2.3. *A list of properties in the city for which the person is an owner.*

§ 28-105.5.2.1 Audit. *The commissioner shall each year, in consultation with the department of finance and each other appropriate city agency, audit at least 25 percent of the statements submitted under section 28-105.5.2.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 1134

By Council Members Van Bramer, Torres, Chin and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on vacant public housing dwelling units.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

**SUBCHAPTER 4
REPORTS RELATED TO PUBLIC HOUSING**

§ 3-140 *General.*

§ 3-141 *Report on vacant public housing dwelling units.*

§ 3-140 *General. As used in this subchapter:*

Dwelling unit. The term “dwelling unit” has the meaning ascribed to such term in the housing maintenance code.

Public housing. The term “public housing” has the meaning ascribed to such term in section 1437a of title 42 of the United States code.

Vacant. The term “vacant” means, with respect to a dwelling unit, that such dwelling unit is not occupied for use as a residence.

§ 3-141 *Report on vacant public housing dwelling units. a. No later than 60 days after the end of each calendar year, beginning with the first calendar year that commences after the effective date of the local law that added this section, the New York city housing authority shall make publicly available online and submit to the council a report on public housing dwelling units that were vacant for more than 30 continuous days during such year. Such report shall include, at a minimum, the following information, disaggregated by public housing development, borough and council district:*

1. The number of public housing dwelling units that have been vacant for more than 30 continuous days during such year;

2. For each such unit:

(a) The reason such unit was vacant for more than 30 continuous days during such year;

(b) Whether, during such vacancy, such unit was habitable, available for use as a residence and being offered to prospective occupants for such use; and

(c) The number of days such unit was vacant during such year and, if such unit was vacant for the whole year, the number of days since such unit was last occupied.

b. Such information shall be posted on the city’s website in a non-proprietary format that permits automated processing.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Housing.

L.U. No. 348

By Council Member Greenfield

:

Application No. C 160097 PPQ submitted by the Department of Small Business Services, pursuant to Section 197-c of the New York City Charter, for the disposition of a lease to Flight Center Hotel, LLC, located at Building 60 at JFK International Airport, Block 14260, p/o Lot 1, pursuant to zoning, Borough of Queens, Community Districts 10, 12 and 13, Council District 28. 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 Planning, Dispositions, and Concessions.

L.U. No. 349

By Council Member Greenfield:

Application No. 20165422 HAX submitted by New York City Department of Housing Preservation and Development pursuant to Section 114, 122(l), 123, and 125 of the Private Housing Finance Law for approval of a new tax exemption, project summary, voluntary dissolution of the current owner, and conveyance from the current owner to a new owner of properties located at Block 2603, Lots 67, 73, 78, Borough of the Bronx, Community Board 2, Council District 8.

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

L.U. No. 350

By Council Member Greenfield:

Application No. 20165423 HAK submitted by New York City Department of Housing Preservation and Development pursuant to Section 115 of the Private Housing Finance Law for a modification of an approved plan and project for properties located at 198 Johnson Avenue (Block 3071, part of Lot 10, and Block 3072, part of Lot 1), Borough of Brooklyn, Community Board 1, Council District 34.

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

L.U. No. 351

By Council Member Greenfield:

Application No. 20165424 HAK submitted by New York City Department of Housing Preservation and Development pursuant to Section 122(l) of the Private Housing Finance Law for approval of a conveyance from the current owner to a new owner of properties located at 198 Johnson Avenue (Block 3071, part of Lot 10, and Block 3072, part of Lot 1), Borough of Brooklyn, Community Board 1, Council District 34.

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

L.U. No. 352

By Council Member Greenfield:

Application No. 20165425 HAK submitted by New York City Department of Housing Preservation and Development pursuant to Section 125(l)(a-3) of the Private Housing Finance Law for an extension to a previously approved real property tax exemption for property located at 198 Johnson Avenue (Block 3071, part of Lot 10, and Block 3072, part of Lot 1), Borough of Brooklyn, Community Board 1, Council District 34.

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

L.U. No. 353

By Council Member Greenfield:

Application No. 20165426 HAX submitted by New York City Department of Housing Preservation and Development pursuant to Section 577 of the Private Housing Finance Law for an amendment to a previously approved real property tax exemption for property located at Block 2934, Lots 23, 26, 29 and 31; Block 2662, Lot 10; Block 2668, Lots 30 and 33; Block 2669, Lots 6 and 47; Block 2685, Lot 48; Block 2799, Lot 18; Block 2869, Lot 142; Block 2877, Lot 268; Block 2879, Lots 68 and 69; Block 2890, Lot 17; Block 2892, Lot 38; Block 2903, Lots 3, 41, 43 and 44; Block 2971, Lots 10, 12 and 14; and Block 3776, Lot 44; Borough of the Bronx; Community Districts 2, 3, 5, and 9; Council Districts 14, 15, 16, 17, and 18.

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

<http://legistar.council.nyc.gov/Calendar.aspx>

A N N O U N C E M E N T S

Wednesday, March 23, 2016

- | | |
|-------------------|--|
| 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 |
| 11:00 a.m. | Contracts Committee – Committee Room – City Hall |
| 11:00 a.m. | Mayor's Office of Contracts |
| 12:00 p.m. | Public |
| 1:00 p.m. | Courts and Legal Services Committee – Committee Room – City Hall |
| 1:00 p.m. | Legal Aid / Indigent Defense Services / Human Resources Administration |
| 2:00 p.m. | Public |

Monday, March 28, 2016**★ Deferred**~~10:00 a.m. — Health Committee — Council Chambers — 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~~**10:00 a.m. Public Housing Committee – Council Chambers – City Hall**

10:00 a.m. NYC Housing Authority

12:00 p.m. Public

2:00 p.m. Immigration Committee – Council Chambers – City Hall

2:00 p.m. Mayor's Office of Immigrant Affairs/Human Resources Administration/Department of Youth and Community Development/City University of New York

4:00 p.m. Public

Tuesday, March 29, 2016**11:00 a.m. Land Use Committee – Committee Room – City Hall**

11:00 a.m. Landmarks Preservation Commission

12:00 p.m. Department of City Planning

1:00 p.m. Department of Information, Technology & Telecommunications (joint with the Technology Committee)

2:00 p.m. Public

Wednesday, March 30, 2016**★ Note Amended Topic****★★ Note Committee and Topic Addition**[Committee on Transportation](#) jointly with the**★★ Committee on Consumer Affairs**.....10:00 a.m.**★ Proposed Int 1109-A** - By Council Members Johnson, Garodnick, Lander, Rodriguez and Torres - A Local Law to amend the administrative code of the city of New York, in relation to pedestrian plazas.[Committee on Transportation](#) jointly with the**★★ Committee on Consumer Affairs (Cont.)****★★ Preconsidered Int ____** - By Council Member Garodnick - **A Local Law** to amend the administrative code of the city of New York, in relation to licensing ticket sellers
Council Chambers – City HallYdanis Rodriguez, Chairperson
Rafael L. Espinal, Chairperson[Committee on Women's Issues](#)..... 10:00 a.m.**Int 1063** - By Council Members Cornegy, Johnson, Cumbo, Garodnick, Grodenchik, Chin, Levin and Ulrich (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring lactation rooms in certain public spaces.Committee Room – 250 Broadway, 14th Floor

Laurie Cumbo, Chairperson

[Committee on Civil Service and Labor](#) 1:00 p.m.
Oversight – Examining the Civil Service System
 Committee Room – 250 Broadway, 16th Floor I. Daneek Miller, Chairperson

[Committee on Recovery and Resiliency](#) 1:00 p.m.
Oversight – Build It Back’s Temporary Relocation Assistance Program
 Committee Room – 250 Broadway, 14th Floor Mark Treyger, Chairperson

Thursday, March 31, 2016

★ *Note Deferred Topics*

★★ *Note Topic Additions*

[Committee on Housing and Buildings](#) 10:30 a.m.

~~★Int 738~~ – By Council Members Levine, Crowley, Ferreras Copeland, Mendez, Cohen, Constantinides, Vallone, Palma, Cornegy, Johnson, Gentile, Rosenthal, Torres, Laneman, Van Bramer, Richards, Cabrera, Espinal, Kallos, Gibson, Vacca, Dromm, King, Reynoso, Chin, Koslowitz, Rodriguez and Ulrich – **A Local Law** to amend the administrative code of the city of New York, in relation to a gas qualification for journeyman plumbers.

~~★Int 1079~~ – By The Speaker (Council Member Mark Viverito) and Council Members Williams, Palma and Richards – **A Local Law** to amend the administrative code of the city of New York, in relation to final inspections of gas piping systems.

~~★Int 1088~~ – By Council Members Espinal, Williams, Levine, Palma, Rose and Richards – **A Local Law** to amend the administrative code of the city of New York, in relation to periodic inspections of gas piping systems.

~~★Int 1090~~ – By Council Members Gibson, Williams, Palma, Dickens, Rose and Richards – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring owners to provide notice to their tenants regarding procedures that should be followed when a gas leak is suspected.

~~★Int 1093~~ – By Council Members Mendez, Crowley, Williams, Palma, Dickens and Richards – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring gas service providers and owners to notify the department of buildings within twenty four hours when gas service is shut off or not restored due to safety concerns.

~~★Int 1094~~ – By Council Members Richards, Williams, Palma and Dickens – **A Local Law** to amend the administrative code of the city of New York, in relation to identifying the factors indicating gas related violations in residential and commercial buildings.

~~★Int 1098~~ – By Council Members Rodriguez, Williams, Richards, Palma and Dickens – **A Local Law** to amend the administrative code of the city of New York, in relation to requiring annual reports on the state of gas infrastructure in the city.

~~★Int 1100~~ – By Council Members Vacca, Williams, Palma and Richards – **A Local Law** to amend the administrative code of the city of New York and the New York city building code, in relation to requiring natural gas alarms in dwelling units.

~~★Int 1101~~ – By Council Members Williams, Palma and Richards – **A Local Law** in relation to a temporary waiver of penalties for violations relating to fuel gas piping systems and appliances that are promptly repaired.

~~★Int 1102~~ – By Council Members Williams, Richards, Levine, Cabrera and Palma – **A Local Law** to amend the administrative code of the city of New York, in relation to designating violations of existing law regarding gas piping systems as “immediately hazardous”.

~~★★Int 1118~~ - By Council Members Williams, Dickens and Gentile (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to exemption from taxation of alterations and improvements to multiple dwellings

~~★★Int. 1119~~ - By Council Members Williams, Dickens and Gentile (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to tax exemption and abatement for certain rehabilitated buildings as authorized by section 488-a of the real property tax law

Council Chambers – City Hall

Jumaane D. Williams, Chairperson

★ **Note Topic Addition**

[Committee on Governmental Operations](#).....1:00 p.m.

★ **Oversight** - Evaluating the Structure and Content of the Preliminary Mayor's Management Report
Committee Room – 250 Broadway, 14th Floor Ben Kallos, Chairperson

Monday, April 4, 2016

[Subcommittee on Zoning & Franchises](#).....9:30 a.m.

See Land Use Calendar

Committee Room – 250 Broadway, 16th Floor Donovan Richards, Chairperson

[Committee on Transportation](#).....10:00 a.m.

Oversight - Car Free NYC Day

Int 779 - By Council Members Rodriguez, Cabrera, Chin, Cohen, Constantinides, Cornegy, Crowley, Cumbo, Deutsch, Dickens, Dromm, Espinal, Eugene, Greenfield, Johnson, King, Koo, Levin, Maisel, Reynoso, Richards, Rose, Vacca, Vallone, Van Bramer, Williams, Wills, Barron, Gentile, Miller, Palma, Rosenthal, Kallos, Koslowitz and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to providing certain parking privileges for press vehicles.

Int 911 - By Council Members Rodriguez, Lander, Crowley, Chin, Koo, Rose and Menchaca - **A Local Law** in relation to improving safety along bus routes.

Int 912 - By Council Members Rodriguez, Chin, Gentile, Koo, Lancman, Mendez, Johnson and Menchaca - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring curb extensions at certain dangerous intersections.

Int 997 - By the Public Advocate (Ms. James) and Council Members Chin, Constantinides, Koo, Rose, Van Bramer, Levine, Johnson, Vallone, Richards, Vacca, Williams, Cumbo, Dromm Reynoso, Garodnick, Espinal, Maisel, Koslowitz, Deutsch, Rodriguez, Crowley, Rosenthal, Kallos, Levin, Torres, Menchaca, Palma, Cohen, Barron, Cornegy, Ferreras-Copeland, Treyger, Greenfield and Ulrich - **A Local Law** to amend the administrative code of the city of New York, in relation to pedestrian countdown signals.

Res 621 - By Council Members Reynoso, Chin, Koo, Lander, Rose, Menchaca and Kallos - **Resolution** calling upon the Metropolitan Transportation Authority to install rear wheel guards on its buses.

Res 1013 - By Council Members Rodriguez and Constantinides - **Resolution** calling upon the City of New York to make Earth Day 2016 a car-free day for private and all non-essential city vehicles

Council Chambers – City Hall Ydanis Rodriguez, Chairperson

[Committee on Rules, Privileges & Elections](#).....10:30 a.m.

M 321 - Ramon Peguero, a resident of Queens, candidate for designation by the Council and subsequent appointment by the Mayor to the New York City Civilian Complaint Review Board, pursuant to § 440 (b)(1) of the New York City Charter.

M 379 - Marbre C. Stahly-Butts, candidate for designation by the Council and subsequent appointment by the Mayor to the New York City Civilian Complaint Review Board.

M 380 - Michael J. Regan, candidate for re-appointment by the Council to the New York City Board of Correction.

M 386 - Communication from the Public Advocate - Submitting the name of Michelle de la Uz to the Council for its advice and consent regarding her re-appointment to the City Planning Commission.

Committee Room – City Hall Brad Lander, Chairperson

[Subcommittee on Landmarks, Public Siting & Maritime Uses](#).....11:00 a.m.

See Land Use Calendar

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

[Subcommittee on Planning, Dispositions & Concessions](#)..... 1:00 p.m.
See Land Use Calendar
 Committee Room – 250 Broadway, 16th Floor Inez Dickens, Chairperson

★ **Addition**
[Committee on Contracts](#).....1:00 p.m.
Oversight - Challenges Facing Nonprofits in City Contracting
 Council Chambers – City Hall Helen Rosenthal, Chairperson

Tuesday, April 5, 2016

★ **Addition**
[Committee on Immigration](#)10:00 a.m.
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor Carlos Menchaca, Chairperson

Wednesday, April 6, 2016

★ **Addition**
[Committee on Public Safety](#).....10:00 a.m.
 Agenda to be announced
 Council Chambers – City Hall Vanessa L. Gibson, Chairperson

[Committee on Land Use](#) 11:00 a.m.
All items reported out of the Subcommittees
 AND SUCH OTHER BUSINESS AS MAY BE NECESSARY
 Committee Room – City Hall David G. Greenfield, Chairperson

★ **Addition**
[Committee on Governmental Operations](#).....1:00 p.m.
 Agenda to be announced
 Committee Room – 250 Broadway, 14th Floor Ben Kallos, Chairperson

Thursday, April 7, 2016

[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 Deputy Leader (Council Member Gentile) adjourned these proceedings to meet again for the Stated Meeting on Thursday, April 7, 2016.

MICHAEL M. McSWEENEY, City Clerk

Clerk of the Council

Editor's Local Law Note: Int Nos. 478-A, 673-A, 683-A, 881-A, 883-A, 1029, and 1047, all adopted by the Council at the February 24, 2016 Stated Meeting, were signed by the Mayor on March 14, 2016 as, respectively, Local Law Nos. 24 to 30 of 2016.